



# COUNTRY GENDER EQUALITY PROFILE

VIET NAM 2021

## Country Gender Equality Profile Viet Nam 2021

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Applications for permission may be addressed to [registry.vietnam@unwomen.org](mailto:registry.vietnam@unwomen.org)  
United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)  
Viet Nam Country Office  
304 Kim Ma Street, Ba Dinh District, Hanoi, Viet Nam  
Tel: +84 4 3850 0100  
Fax: +84 4 3726 5520  
Website: [www.vietnam.unwomen.org](http://www.vietnam.unwomen.org)

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# **COUNTRY GENDER EQUALITY PROFILE**

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**External Technical Advisory Group (A-Z):** Do Anh Kiem (Director, Social and Environmental Statistics Department, Gender Statistics Office), Ha Thi Qynh Anh (Program Specialist-Human Rights and Gender, UNFPA), Le Quang Binh (Founder, ECUE Viet Nam), Le Quynh Lan (Deputy Director, PLAN International), Le Thi Hong Giang (Gender Adviser, CARE International in Viet Nam), Nguyen Tam Giang (Gender Specialist, World Bank), Nguyen Van Anh (Founder and Former Director, CSAGA), Tran Thi Minh Thi (Director, Institute for Gender and Family Studies), and to Tran Bich Loan (Vice Director, Gender Equality Department, Ministry of Labour-Invalids and Social Affairs).

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# FOREWORD



Few countries have generated the economic, industrial and social transformation that Vietnam has experienced in the past generation. Fewer still have forged it as peacefully and with considerable equity. The Government of Viet Nam was an early signatory to international commitments to gender equality, and this undertaking led to the development of a formal legal framework on gender equality that is widely acknowledged as comprehensive. These past commitments are observable today in the gender parity attained in secondary education, the narrow gap in workforce participation levels, and the prioritisation and improvement of women's maternal survival chances. Viet Nam is also notable for having a dedicated gender equality law, as well as separate legislation on the prevention and control of violence, and express provisions for gender equality in employment – all of which have been in place for over a decade.

For the past 20 years, a national gender assessment has been produced for Vietnam every five years. This multi-agency effort is intended to provide a snapshot of gender equality progress against key socio-economic indicators, and to offer analysis and recommendations for addressing barriers to progress and closing gender gaps. Each report has identified gender issues or disparities in every sector under examination – ranging from governance, labour, agriculture, business, transport and connectivity, urban

development, family life, social protection, migration and climate change. Clearly gender equality is a not a side issue, but intrinsic to the very quality, durability and advances to be gleaned from Viet Nam's socio-economic development.

This report has also sought to profile two additional themes. Firstly, it has highlighted the pervasiveness of socio-cultural norms and the determining role they play in impeding gender equality across all facets of life. Secondly, it has sought to reveal how the diverse backgrounds and identities of individuals and communities – including age, disability, ethnicity, sexuality, socio-economic status and residence – shapes gender-based achievement and disadvantage. Together, these themes represent the leading edge work towards gender equality progress in the coming decade.

This Country Gender Equality Profile (CGEP) was also timed to serve as a baseline for Viet Nam's 2<sup>nd</sup> National Strategy on Gender Equality 2021-2030, and as an interim report on Viet Nam's progress against the Sustainable Development Goals, with a focus on equality.

This report commenced in 2020 as the COVID-19 virus was taking hold globally. It is not yet possible to discern when and how countries will emerge from the grip of this pandemic. However, within the space of a year, it was evident that the COVID-19 global pandemic was wreaking a gender specific toll. In Viet Nam, women's workforce participation



has tapered as a result of their predominance in the sectors of tourism, retail, hospitality and light manufacturing – all hardest hit by the negative impacts of the pandemic. The exacerbation of family violence has been highlighted through the increased calls to hotlines and services as compared with the 2019 period. The prolonged school closures, increased household public health vigilance and care needs has also seen women’s unpaid care work at home and in the community multiply.

Unwittingly, the CGEP will now also serve as a reference point for the status of gender

equality one year into the pandemic. However, the recommendations for promoting gender equality are also envisaged as strategies for assisting Viet Nam’s socio-economic recovery. We hope for a favourable trajectory from this point.

As partners in the CGEP, we have invested in this data collection because of a shared belief in the power of evidence – to stimulate debate, and drive policy, services and opportunities. We hope this CGEP is useful to the broadest range of stakeholders for the ultimate benefit of gender equality and Viet Nam’s future.

**Elisa Fernandez Saenz**

Country Representative,  
UN Women

**HE Robyn Mudie**

Australian Ambassador  
to Viet Nam

**Andrew Jeffries**

Country Director,  
Asian Development Bank

**Nguyen Hong Ha**

Officer-in-Charge  
International Labour  
Organization



# ACRONYMS



ADB	Asian Development Bank
ASEAN	Association of South East Asian Nations
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CEMA	Committee for Ethnic Minority Affairs
CEPEW	Center for Education Promotion and Empowerment of Women
CEAW	Committee for the Advancement of Women
CGEP	Country Gender Equality Profile
CSAGA	Center for Studies and Applied Sciences in Gender - Family - Women and Adolescents
CRC	UN Convention on the Rights of the Child
DFAT	Department of Foreign Affairs and Trade, Australia
DOLISA	Department of Labour-Invalids and Social Affairs
GBV	Gender Based Violence
GBVNet	Gender-based Violence Prevention and Response Network in Viet Nam
GDP	Gross Domestic Product
GDI	Gender Development Index
GED	Gender Equality Department, Government of Viet Nam
GII	Gender Inequality Index
GRB	Gender-Responsive Budgeting
GSO	General Statistics Office
IFGS	Institute of Family and Gender Studies
ILO	International Labour Organization
ISDS	Institute for Social Development Studies
iSEE	Institute for Studies of Society, Economy and Environment



LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex
LURC	Land Use Rights Certificate
MARD	Ministry of Agriculture and Rural Development
MMR	Maternal Mortality Ratio
MOCST	Ministry of Culture, Sports and Tourism
MOET	Ministry of Education and Training
MOLISA	Ministry of Labour-Invalids and Social Affairs
MPI	Ministry of Planning and Investment
NCFAW	National Committee for the Advancement of Women
NGO	Non-Government Organisation
NSGE	National Strategy on Gender Equality
NTP-NRD	National Target Program-National Rural Development
SDG	Sustainable Development Goal
SME	Small and Medium Enterprise
SRB	Sex-Ratio at Birth
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UPR	Universal Periodic Review
VAW	Violence against Women
VHLSS	Viet Nam Household Living Standards Survey
VSDG	Viet Nam Sustainable Development Goals
VWU	Viet Nam Women's Union
WPS	Women, Peace and Security

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# KEY GENDER EQUALITY INDICATORS



Domain	Indicators
Political	<b>Proportion of women National Assembly Deputies:</b> 30.26% (2021-2026) <b>Global average:</b> 25.5% 1 <sup>st</sup> June (2021) <sup>1</sup>
	<b>Women ministers (including 18 ministries and 4 ministerial-level agencies):</b> 9% / 2 of 22 (2021-2026 term) <b>Global average:</b> 22.6% (2021) <sup>2</sup>
	<b>Percentage of women Deputies in the People’s Councils:</b> 29%, 29.08% and 28.98 % at the Provincial, District and Commune level respectively (2021-2026 term)
	<b>Percentage of women in the Viet Nam Communist Party:</b> 33% (2019) <sup>3</sup>
Social	<b>Percentage of women in the Viet Nam People’s Army:</b> 2.8% of whom 31.9% are in management positions.
	<b>Literacy rate among people aged 15 and older:</b> 98% of men, 95.6% of women; 86.3% among ethnic minority men, 73.4% of ethnic minority women (2019) <sup>4</sup>
	<b>Proportion of children under 3 years of age enrolled in creche/kindergarten:</b> 28.9% (2018-19 school year) <sup>5</sup> ; VLHSS 2018 reports 12%.
	<b>Sex-ratio at birth:</b> 111.5 boys per 100 girls (2019) <sup>6</sup>
	<b>Proportion of women aged 15 years and over who have experienced one or more forms of physical, sexual, emotional and economic violence, and controlling behaviours by their husband in 1) their life time, or 2) the last 12 months:</b> 1) 62.9% and 2) 31.6% (2019)
	<b>Proportion of women aged 20-24 years who were first married or in a union before age 18:</b> 9.1%; 12.6% among women in rural areas; and 21.5% among women in the northern mountains (2019) <sup>7</sup>
	<b>Proportion of LGBTQI persons who experienced a form of abuse at home:</b> 62.9% experienced pressure to change their appearance or gestures, and 60.2% experienced scolding (2015)
	<b>Social insurance coverage, by sex:</b> 31.3% for women, 22.1% for men (2019) <sup>8</sup>
<b>Gender gap in pension value:</b> 19.8%, favouring men (2019) <sup>9</sup>	

1 <https://data.ipu.org/women-averages>

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9 ILO. 2020. Technical note on new parametric reform scenarios for pensions. Hanoi: ILO.



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## Social

**Proportion of women of reproductive age (aged 15-49 years) who have their need for family planning satisfied with modern methods:** 69.2% in urban areas, 63.3% in rural areas (2018)<sup>10</sup>

**Adolescent birth rate:** 35‰ of adolescents aged 10-19 years<sup>11</sup>

**Maternal mortality ratio:** 46 cases per 100,000 live births (2019)<sup>12</sup>

**Under 5 mortality rate, by sex:** 27.3‰ among boys, 14.2‰ among girls (2019)<sup>13</sup>

**Deaths (cases) due to suicides per 100 000 population:** 7.54 male deaths/100,000 population, 3.12 female deaths/100,000 population (2017)<sup>14</sup>

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## Economic

**Labour Force Participation Rate:** 62.3% for women, 75.4% for men (2020)<sup>15</sup>

**Informal employment:** 54.6% of male workers, 46.3% of female workers (2019)<sup>16</sup>

**Weighted gender pay gap based on monthly wages:** 13.7% (2019)<sup>17</sup> **Global pay gap:** 20.5% (2018)<sup>18</sup>

**Unpaid domestic and care work:** Women reported 275 minutes per day compared with 170 minutes per day for men (2016).<sup>19</sup>

**Hours spent on services 'for own use':** 20.2 hours per week on average for women, and 10 hours per week on average for men. Close to 20% of men did not report any hours (2019).<sup>20</sup>

**Proportion of LGBTQI people who reported experiencing discrimination or harassment at work:** 50% (2015)<sup>21</sup>

**Share of female managers in foreign-owned firms:** 34.1% (2019)<sup>22</sup>

**Jointly titled residential land:** 55.6% (2014)<sup>23</sup>

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## Environmental

**Division of labour for water collection in urban households without access to safe drinking water:** 69% performed by women, 29% by men, 9% jointly (2015).<sup>24</sup>

**Number of people with temporary residency in current place of residence:** 5.6 million, with women estimated to account for a half (2016).<sup>25</sup>

**Perception of public safety:** 50% of women did not feel safe on crowded buses or at bus stops; 49% of adolescent girls said they did not feel safe in public settings. (2017)<sup>26</sup>

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10 General Statistics Office. 2018 Population and Family Planning cited in Government of Viet Nam. 2020. *2020 National Report on the Implementation of the Sustainable Development Goals*.

11 Government of Viet Nam. 2020. op.cit

12 Ibid.

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14 Ibid.

15 <https://ilostat.ilo.org/data/country-profiles/> Accessed 18 May 2021.

16 Government of Viet Nam. 2020. op.cit Please note that this calculation is based on Viet Nam's national definition of informal employment as at 2019.

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23 General Statistics Office. (GSO). 2014. *Result of the Viet Nam Household Living Standards Survey 2014*. Hanoi: GSO.

24 General Statistics Office and UNICEF. 2015. *Viet Nam Multiple Indicator Cluster Survey 2014 – Final Report*. Hanoi: GSO.

25 World Bank Group and Viet Nam Academy of Social Sciences. (2015) *Vietnam's Household Registration System*. Hanoi.

26 ActionAid. 2017. *Policy Brief for a Safe City for Women and Girls*. Hanoi: ActionAid; Plan International. 2017. *Adolescent Girls' Views on Safety in Cities – Findings from the Because I am a Girl: Urban Study in Cairo, Delhi, Hanoi, Kampala and Lima*. UK: Plan International.





## EXECUTIVE SUMMARY

# VIET NAM'S PROGRESS ON GENDER EQUALITY



Against a backdrop of remarkable GDP growth, and major social and economic modernisation over the past five years, Viet Nam continues to grow in prominence as a regional leader and international partner. Its deft management of successive COVID-19 outbreaks in the first year reinforced the reputation of Viet Nam as a capable nation. Viet Nam has become more integrated into global production and value chains, with female-intensive export-oriented light manufacturing being a major stimulus of GDP growth. The country has also maintained a high international profile in its multilateral engagements, such as its Presidency of the UN Human Rights Council in 2021 and its deployment of a UN peacekeeping contingent for the first time in 2018, which exceeded the UN guidelines on the recommended level of participation by women (15%).

Viet Nam maintains a positive reputation as a country where women enjoy formal equality under the law, have comparatively high workforce participation and access to economic opportunity, and ever improving health and higher education attainments. However, at an aggregate level, closing gender gaps in Viet Nam must now move well beyond a focus on basic human capabilities towards addressing the barriers and biases to women's empowerment, participation and security. This needs to be done with attention to the compound negative impact of gender and other socio-economic variables – or what is

termed 'intersectionality'.

Existing gender gaps are coalescing with a new generation of equality concerns. Persistent gaps include: a widening sex ratio at birth in the context of son preference; stereotypes on gender-appropriate fields of study and streaming into a narrow range of occupations; vulnerable, unprotected and low paid employment among women; bias against women in leadership, especially with respect to holding executive positions or in public office at the commune level; a high prevalence of intimate partner violence, alongside the low availability of support services; and a societal expectation that women are responsible for unpaid care work in the home, and obliged to balance this with paid work - in the face of a limited child and elderly care infrastructure. There is also a greater acknowledgement of the extent to which patriarchal norms restrict women's choices. Emerging concerns include: women's rebound and recovery from COVID-19 in workforce participation and business; women's access to skills, qualifications and jobs in an increasingly digitalised economy requiring labour literacy in new technologies; gender wage and pension gaps leading to impoverishment in later life; urban development that reflects women's realities and preferences; managing the restructuring of the agricultural sector which facilitates women's transition to new income opportunities; and the low involvement of



women in information, decision making and plans relating to climate change resilience. Most important is the need to consider how greater inequalities persist for certain groups of women and girls, such as women from ethnic minority groups, women living with disabilities, rural or migrant women, and single mothers. An analysis of the needs and barriers faced by specific groups of women must be integrated into policy and program responses.

This report was finalised as Viet Nam was responding to its fourth COVID-19 wave across the country. As of 12 August 2021, Viet Nam had recorded 256,000 laboratory-confirmed cases and 5,088 deaths<sup>27</sup> since the World Health Organization's declaration of a global pandemic on 11 March 2020. Sex-disaggregation of the official case number is not available. However, unlike previous global public health and financial crises,<sup>28</sup> COVID-19 has been singularly detrimental for women and has exposed gendered fault lines in the economy and social structures. COVID-19 has necessitated unprecedented, extreme public health measures, including the closing of national borders to travel and trade, interrupting supply chains, tourism and commerce; prolonged school closures, requiring online learning and home tuition; periodic shut downs and social distancing requirements in retail, hospitality and services, thus weakening business; stay-at-home orders with family confinement; and an increase in domestic tasks and care responsibilities which have been placing much heavier burdens on women, rather than men. Job and income losses, and elevated anxieties relating to livelihood and fear of the virus, have also increased the stress on households. These factors have played out to disproportionately

impact women worldwide, with the World Economic Forum estimating that COVID-19 has delayed closing the gender gap 'by a generation' (from 99.5 years to 135.6 years, based on current progress).<sup>29</sup> In Viet Nam, COVID-19 led to double the number of hotline calls and shelter admissions of women experiencing violence, as compared to the same period in 2019; women healthcare workers, two thirds of the workforce, reported high stress levels in having to maintain their caregiving role at home, whilst working on the frontline of the pandemic response. For the first time in a decade, Viet Nam saw a drop in the labour force participation rate of both men and women, and some of the hardest hit economic sectors such as tourism, hospitality, retail and light manufacturing were female-intensive industries. There was an 'exponential increase' in women's unpaid care and domestic work with respect to household hygiene vigilance, home-based schooling supervision, increased time in meal preparation as well as the care of sick relatives. Traditionally regarded as the 'secondary earner', this jeopardises women's return to employment, at the same pace as men. Hence, within the space of 15 months, the prediction that COVID-19 could reverse fragile gender equality gains is unfortunately already materialising – both worldwide and in Viet Nam. Responding to these new challenges for women and countering increasing inequality is in Viet Nam's economic and social interest. Pragmatically, such efforts will add to Viet Nam's development momentum, and distinguish the nation among its peers.

27 COVID-19 Data Repository by the Center for Systems Science and Engineering (CSSE) at Johns Hopkins University. <https://github.com/CSSEGISandData/COVID-19>

28 Blanton, R. & Peksen, D. The Gendered Consequences of Financial Crises: A Cross-National Analysis. *Politics & Gender*, 15 (2019): 941–970.

## FINDINGS



The key findings from the thematic chapters are summarised here. Complete referencing is provided in the chapters.

### Institutional framework for gender equality

- Review of the *National Strategy on Gender Equality (NSGE) 2011-2020* found **that two thirds of its targets were met (14 of 22), 7 were not met and 1 had insufficient data to measure**. Not one of the three targets on political leadership were achieved. The new national strategy for the period 2021-30 has simplified, more readily achievable targets, and Guidelines for data collection and reporting on the implementation of the Strategy is in process. New targets to lower the adolescent birth rate, increase all women's enrolment in vocational education while education targets for ethnic minority boys and girls have been introduced, alongside health services for 'LGBT people'.<sup>30</sup> Issues not covered by the Strategy or other laws include addressing adverse social norms, digital inclusion and parity in STEM, women's involvement in disaster risk reduction and environmental decisions, and LGBTQI equality priorities.
- Important reforms towards gender equality have been enacted, including **specific directives on gender mainstreaming in legal normative documents**, with 40 of 111 documents passed since 2015 having satisfied gender mainstreaming requirements. The Labour Code 2019 has significant favourable revisions, including the removal of the list of prohibited occupations for women, increasing paternity leave entitlements, a clarification of the definition of sexual harassment, and reducing the gender gap between men and women's retirement age from 5 to 2 years by 2035.
- **Budget commitments to implementing the NSGE have not been realised in full.** For the *National Program on Gender Equality 2016-2020*, 103 of 180 billion VND (57%) was mobilised. Over the period, 2011-2020, overseas development assistance (ODA) was equivalent to 212 billion VND, 128% of the original budget projection. With ODA declining as a percentage of GDP from 1.81% in 2016 to 0.63% in 2020, financing for gender equality will become far more reliant on state and private sources.
- A **new framework for national gender statistics** was endorsed in 2019. The set of 78 indicators is aligned with the Viet Nam Sustainable Development Goals. Challenges remain in terms of data gaps, data access and sex-disaggregation across all ministries. Progress for the period includes the General Statistics Office (GSO) undertaking a second national violence against women prevalence survey, initiating a national time use survey and publishing a biennial Gender Statistics Book.
- **Gender equality is defined in binary terms at law and in the institutional framework**, comparing men and women, and recognition of gender diversity in new draft legislation is contingent upon medical intervention in the case of transgender people. This leaves those



with other gender identities and sexual orientations unrecognised, including lesbian, gay, bisexual, queer and intersex people.

- In Viet Nam, **gender equality has been institutionally associated with the advancement of women**, and therefore is under the responsibility of the Viet Nam Women's Union and the Ministry of Labour-Invalids and Social Affairs. There is still a need to socialise the concept of substantive gender equality, to distinguish between women's attendance and their full inclusion, challenge gender biases that hinder women's empowerment, and demonstrate the relevance and benefit of gender equality to all sectors, especially planning and finance, technology and science, energy and transport, and the environment.

### Equality in leadership in politics and public administration

- Women's **political representation enjoyed some significant advances in the 2016-2020 term**. For the first time a woman was appointed Chair of the National Assembly, three Politburo members among 19 were women, and a woman proposed a bill in the National Assembly.<sup>31</sup> However, for the **2021-2026 term, women's participation at the highest echelons of leadership fell**; only one woman remained in the Politburo, and women were no longer present in the top four highest leadership positions of the country.
- For the 2016-2020 term, **women's share of National Assembly seats was 26.8%, just above the current, low global**

**average** of 25.5%.<sup>32</sup> In 2015, Viet Nam legislated a candidate quota for women of 35%, and while there was a 2% increase for the 2016-2020 term, it still fell short of the designated quota. However, there was a major turnaround for the **2021-2026 term**. In the 2021 elections, women candidates accounted for 45.38% of the total number, and the proportion of **women National Assembly Deputies increased to 30.26%** – this is the first time that women's representation has exceeded 30%, the highest since 1976.

- **Women are concentrated in certain National Assembly committees for the 2016-2021 term**<sup>33</sup>, for example Ethnic Affairs (51% of members), Culture, Education and Youth (48.6%) and Social Affairs (43%). By contrast, women's representation in the committees for Finance and Budget (15.2%) and Security and Defence (6.3%) is relatively low. There are also very low levels of women who are the Chairs of People's Committees (between 11 – 17%, across all administrative levels).
- In the 2016-2020 term, **women were less likely than men to vote** at the National Assembly and People's Council elections, at 63% of women and 76% of men, respectively. It tapered dramatically for village elections, with only 26% of women voting as compared to 42% of men.<sup>34</sup>
- **Both men and women prefer to vote for men** for the National Assembly and People's Council, and women candidates encounter greater **bias with respect to**

31 Data on the bill from UNDP's research into women in leadership under the Viet Nam Provincial Governance and Public Administration Performance Index (PAPI) program.

32 <https://data.ipu.org/women-averages>

33 At the time of CGEP finalisation, data on women's representation in National Assembly Committees was not yet available.

34 UNDP. 2021. 'Roles of women representatives in Viet Nam's development during the 2016-2020 term.' Thematic Study from the *Viet Nam Provincial Governance and Public Administration Performance Index*. Hanoi: UNDP.

**executive positions** (i.e. most senior decision-making positions) over legislative positions. Bias is **greatest for women candidates in village elections**, and they are less likely to appeal to voters if they have families. For male candidates, having a family is considered an asset and, as such, they are rewarded with a much higher proportion of the vote in local elections.<sup>35</sup>

- Women continue to account for a solid **one third (33%) of the 5 million Vietnamese Communist Party** members. However, they only account for between 10 and 20% of the central and local-level Executive Committees, respectively.
- There is **no systematic collection, updating and publication of data** on women's share of senior leadership positions in public administration. However, there is one female minister (Ministry of Home Affairs), and a woman is the new Governor of the State Bank of Viet Nam.

### Equality in social development and family life

- Viet Nam has an **extreme imbalance in the sex ratio at birth** due to son preference and sex-selective abortion. The Census (2019) reported sex ratio at birth to be 111.5 boys born for every 100 girls. The country is among the five lowest ranked countries globally. In 2020, the United Nations Population Fund (UNFPA) estimated that 45,900 female births are missing every year in Viet Nam due its current high rates of sex-selective abortion.<sup>36</sup>

- At 76.3 years, Vietnamese women live longer than the global average life expectancy for women at 74.3 years, and there is a 5-year gender gap with men who have a 71-year life expectancy. **Women face greater vulnerability and risk of poverty in old age** due to life cycle breaks in earnings and financial disadvantages. The latter includes the gender wage and earnings gap, and the 5-year gap in the retirement age between men and women, which is to be reduced to two years by 2035 with the passage of the revised *Labour Code 2019*.
- In 2019, the total fertility rate was 2.09 children per woman, with rural areas being higher at 2.26 children and urban settings at 1.83 children per woman – below replacement level. A new Prime Ministerial Decision was issued in 2020 to promote the national birth rate, in regions where it is low. A range of **incentives were prescribed for men and women to marry before the age of 30 years and for women to have their second child before the age of 35 years**.<sup>37</sup> These include income tax reductions, support for rent or the purchase of social housing, and children will be given priority in admission to public schools. This program would have a discriminatory impact on people who opted not to marry or marry young or have two children. With women's culturally ascribed caregiving role, the effect of this decision would also impact on their life choices and economic participation.
- The belief in women's 'heavenly duty' (*thiên chức*) to give birth and take care of children is widely held. **Unpaid care and domestic responsibilities underpin gender gaps** in areas such as career trajectory, lifetime earnings, and leadership roles.

<sup>35</sup> Ibid.

<sup>36</sup> GSO. 2020. *Population and Housing Census 2019. Sex Imbalance at Birth: Trends, Variations and Determinants*. Hanoi: Finance Publishing House.

<sup>37</sup> Prime Minister Decision 588/QĐ-TTg *Approving the Programme on adjusting the fertility rate suitably with subjects and regions until 2030*, dated 28 April 2020.

- The abortion rate declined to 13.8 cases per 100 live births (2019 data), although this is considered to be an **underestimate since it does not capture the number of abortions performed in private medical clinics**. There is no data available on sex-selective abortions – which are illegal in Viet Nam – nor on the adolescent abortion rate.
- An understanding the priorities, preferences and life circumstances of people with disabilities, including across a diversity of impairments, is seriously limited in Viet Nam. This is due to a lack of co-conducted consultations and research among people with disabilities, limited disaggregation of administrative and survey data by disability, and few formal mechanisms for the engagement of representative organisations in policy forums. Where data does exist, it highlights how **women and girls with disabilities face multiple barriers**. This holds for educational and vocational training access, labour force participation and access to rehabilitation services (the latter being 5.9% for women, as compared to 8.19% for men) whereby women have consistently lower levels of access than men. Women with disabilities also experience higher levels of physical and sexual violence than women without disabilities, at 33% compared to 25.3%, respectively.
- **Parity has been reached up to lower secondary education**, however girls account for a greater percentage of enrolments at upper secondary level than boys, at 76.7% versus 67.7%, respectively. Rates are considerably lower overall for ethnic minority girls and boys, at 50.9% and 43.4%, correspondingly.
- The **disparity flips at the graduate level in tertiary education** where women only account for 28% of doctoral degrees.
- The ratio of **women in leadership positions in the education sector is inverse to their proportion in the workforce** (13% of Department Directors, and 34.8% of Vice Directors).
- Gender-based **segregation and occupational streaming in vocational training and occupations** is along gender stereotypical lines which limits both women's and men's access to the full range of jobs.
- While same sex activity is not illegal, same-sex marriage is not recognised. There is **no legal recognition of sexual orientation and gender identity** and **gender equality is defined in binary terms** in the law and institutional framework.
- **Gender stereotypes are pervasive in the media** and women are under-represented as subject matter experts.
- The second national prevalence study confirmed that **2 in 3 ever married women (62.9%) experience violence by their husbands/partners in their lifetime**, and nearly 1 in 3 have experienced intimate partner violence in the past 12 months (31.6%). Around half of the women interviewed had not told anyone (49.6%), and the **majority did not seek support** (90.4%). Moreover, experience of physical or sexual violence is higher among women with disabilities (33% compared to 25.3% of women without disabilities), and for certain groups of women living in remote areas. One in ten women (11%) had experienced non-partner violence since the age of

15, and **13.3% of women experienced lifetime sexual violence** - an increase on the rate at last measurement (9.9% in 2010). More than half of the women interviewed (51.8%) agreed with at least one situation in which partner violence was acceptable, and this was higher for women in rural areas, highlighting the extent of the normalisation of violence. Nearly 1 in 5 women had to leave home during their lifetime due to violence, and of those who returned, half of the women interviewed (50.4%) did so for their children.

- Sexual harassment in the workplace was clearly defined for the first time in the *Labour Code 2019*, in line with the ILO definition. However, sexual harassment per se is not covered in other broader legislation despite an increased occurrence in public places. According to the 2019 VAW study, **nationally, one in ten women (11.4 %) had experienced one or more kinds of sexual harassment in their lifetime**. Incidents of sexual harassment against young girls or women in public places have been repeatedly reported in recent years in the media.<sup>38</sup> Recent studies have also documented the high prevalence of sexual harassment among students in schools and in other public places. A separate study in 2018 revealed that 60% of students from secondary school to university level in four provinces of Viet Nam reported having been sexually harassed at least once, half of whom reported suffering from anxiety and fear after the incident.<sup>39</sup>

38 Sexual harassment against female student in elevator was charge with...200,000 dong. <https://tuoitre.vn/cuong-hon-nu-sinh-trong-thang-may-bi-phat-200-000-dong-20190318190546984.htm>; Sexual harassment against girls in a park, what is the reason? <https://tuoitre.vn/be-gai-bi-quay-roi-o-cong-vien-vi-dau-754563.htm>

39 ISDS & ActionAid. 2020. *Sexual harassment in youth at school*. Hanoi.

- Corridors for the trafficking of women and girls, and Vietnamese nationals in general, have attracted law enforcement and media attention – especially those bound for China, Europe and the UK. However, data is limited. The **majority of the 7,500 trafficking cases detected between 2012 and 2017 were overwhelmingly that of women (90%)**, and a high proportion of those had been trafficked to China, from ethnic minority communities.
- Although data sources vary, **the incidence of divorce cases is gradually rising**, with the GSO reporting an estimated 24,308 cases in 2016 (latest data) - an increase on the 2014 case number (19,960 divorces). Reports from the People’s Court noted the settlement of 1.4 million divorce cases over the period 2008-18. The cultural pre-eminence of marriage means that divorced women risk stigma, and socio-economic hardship due to lower property ownership and customary inheritance practices, which favours sons.
- Lastly, **social insurance coverage is low for both women and men**, with only 31.3% of women and 22.1% of men covered, reflecting the low levels of formal employment that social insurance is attached to in Viet Nam. The gender gap in social pension coverage is large (11.3%): 16% of women aged 65 and over receive a social insurance pension, compared to 27.3% of men. At older ages, the gap is even larger. In 2019, the value of men’s pensions was higher than that of women by an average of 19.8 per cent.

## Equality in the economy

- **Women’s labour force participation rate fell 2.2 percentage points** between the 4<sup>th</sup> quarter of 2019 (76%) to the same period in 2020 (73.8%). Men’s fell by 2.1

percentage points from 81.4% to 79.3% for the same period. The **gender gap in labour force participation also widened** slightly to 10.8%.<sup>40</sup> COVID-19 contributed to a reduction in working hours for women, and the loss of jobs across manufacturing and services. Younger and older workers were more likely to leave the labour force as a result. Only 30.5% of women with disabilities participate in the workforce, and this was prior to the COVID-19 outbreak.

- High labour force participation rates tend to mask the fact that **women are in more vulnerable employment**. Although **men are more likely than women to be in informal employment 78.9% and 67.2%**, respectively, rates for both are high for a category of workers without job security and social insurance. However, women are **overrepresented in the category of contributing family workers**. This is the case for the majority (85.9%) of women working in agriculture. Furthermore, only an estimated **10% of domestic workers hold an employment contract**, rendering them one of the most exploitable categories of workers within Viet Nam.
- In Viet Nam, women migrant workers account for an estimated **one third share of its regular international labour migration**. Women in regular migrant work are concentrated in **manufacturing** in Japan and Taiwan, China (73 per cent and 71 per cent, respectively), as well as in **agriculture, fishing and care work**. Regular women migrant workers to the Republic of Korea are mostly divided between agriculture (50 per cent) and manufacturing (46 per cent), and migration from Viet Nam to Saudi

Arabia by women is **almost exclusively for domestic work** (97 per cent), with the majority of workers originating from Thanh Hóa province. In 2020, Viet Nam strengthened provisions for gender equality in labour migration under the new *Law on Contract-Based Vietnamese Overseas Workers*, including the prohibition of gender-based discrimination in job advertisement and recruitment. Barriers to a safe, positive international labour migration experience for women in particular, include: limited legal protection for undocumented migrants especially women migrant workers (because the law only covers contract-based migrant workers); limited information on the type of work and realities in the country of destination; limited information, support and access to justice for those who experience problems – especially abuse, harassment or violence; low access to skills development or skill matching; limited support for particular social groups, including migrants from ethnic minority communities; and the need for additional reintegration support.

- The **gender wage gap** favouring men has persisted and is currently 13.7% for formal workers.<sup>41</sup> The GSO estimates the gender earnings gap to be 29.5%, with a gap of 21.5% in urban areas and of 35.2% in rural areas. Women work similar hours to men and there is no significant difference in educational levels. Women are overrepresented in lower paid segments of the labour market and in part time work. However, a portion of the gap is also ‘unexplained’ and reflects the structural discrimination<sup>42</sup> and the cumulative ‘motherhood employment penalty’ for

40 ILO calculations based on Labour Force Survey data. ICLS13 standards are applied.

41 Please note that the gender wage gap is calculated in different ways, and this reflects calculations used by the GSO.

42 United Nations (UN). 2016. *Viet Nam Gender Briefing Kit*. Hanoi: UN.

women. Ethnic minority women who hold waged employment earn 17% less than their male peers.

- **Gender stereotypes profoundly affect women's economic participation**, including barriers to leadership and promotion based on the perceived primacy of their care giver role which fuels prejudice in relation to women's capabilities and knowledge. In Viet Nam, as elsewhere, there is a pervasive notion of women being the 'secondary earner', while men are considered the primary income earners. This is noted in both urban and rural settings.
- Despite advances for women in the economy through increased access to waged work, the economy is 'a gendered structure' and **women face formal, social and cultural barriers** for participating on a par with men. Factors such as care and domestic responsibilities and being disproportionately represented in more flexible but lower paid and skilled segments of the labour market, undermines women's position in the economy. It also erodes their resilience to economic shocks and their job readiness for the future labour market.
- Women's business ventures are clustered in small and medium enterprise (SME) ownership, with the majority having fewer than 50 employees. In 2018, **women accounted for 26.54% of SME ownership**, consisting of 31.6% in urban areas and 18.7% in rural areas. Women-owned SMEs employ a higher percentage of women workers in Viet Nam than those owned by men (43.4% versus 36%, respectively), and they contribute more to the economy via taxes per worker (VND 24.9 million compared

with VND 24.5 million). Micro, Small and Medium Enterprises (MSMEs), where women predominate as owners, were severely impacted by COVID-19-related downturns. By April 2020, a UN survey of **MSMEs reported a sharp reduction in revenue of around 78% as compared with December 2019**. MSMEs in ethnic minority areas also suffered substantial losses, reporting a revenue reduction of 44% over the same period.<sup>43</sup>

- After Thailand, **Viet Nam has the highest rate of women on the boards of publicly listed companies for the ASEAN region**. However, the rate remains low, at 15.4% (Thailand at 20.4%). Viet Nam is also second highest in terms of women in the role of chair of the board (7.8% of companies, after Indonesia with 11.7%). A total of 47% of listed companies in Viet Nam have no women at all on their boards.
- **Only 17% of large enterprises are run by women**. A 2020 VCCI survey found that around two thirds of these businesses (69%) had less than VND 5 billion in business capital. However, this represents only a slight difference from the 64% of male-owned enterprises. Notably, 17.8% of all women-owned businesses were joint stock, but only **0.4% of women-owned enterprises are listed on the Hanoi or HCMC Stock Exchange**, at present.
- The share of female **managers in foreign-owned firms is 34.1%** (2019). Data is not available on women's representation in senior management within state-owned enterprises.

43 UNDP and UN Women. June 2020. *Full report: COVID-19 Socio-economic Impact on Vulnerable Households and Enterprises in Viet Nam: A Gender-sensitive Assessment*. Hanoi: United Nations.

- **Women in business reported encountering 'social prejudice'**, including the perception that women's 'natural' competency was for housework not in management and business, the idea that women should assume an auxiliary position ('second place') rather than assume a top leadership role, that women are unable to concentrate because of their primary focus on caring for their children and family and, moreover, that women are risk averse and not as skilled as men to make bold decisions.
- Women also stated that the **top obstacles they faced to business development** were finding customers (63%), market instability (34%), and access to credit and finance (30%). Women reported that loan terms were, on average, 13.7 months for women as compared with 16 months for men, and nearly half (40%) of the women found loan procedures difficult. Access to information on policies and the business support available, especially on land use, public investment plans, local industry and infrastructure plans were the most difficult to source. This is despite official requirements that this information be publicly available.
- **Sex-disaggregated data on land use rights certificates** is not available after 2014. Between 2004 and 2014, the proportion of jointly titled cropland had risen from 11.6 to 38.3 per cent while the rate of jointly titled residential land had increased from 15.7 to 55.6 per cent. Even though the rate of LURCs titled solely to men dropped significantly in the ten-year period from 2004 to 2014, men are still more likely to be the sole land/house owner when compared with women. As a major source of collateral for credit and business, and security in older age, this

data is needed to gauge the outcomes of joint titling drives over the past decade.

### Equality in relation to the environment, urban and rural development

- **In the sphere of the environment** - including urban and rural development planning and infrastructure, energy, and the climate – there is **very limited available data** on women's representation and participation in these sectors and a limited consideration of gender specific needs and impact. Planning in these sectors is commonly considered **'gender-neutral'**.
- Although only small-scale study data is available, it is clear that **women are unrepresented in urban planning, transport, construction and energy-related professions and in urban planning decision making**. Urban planning is not directed to routinely consider how **built environments influence women's mobility and safety**. This includes women accompanied by children and those using prams, as well as women with disabilities and elderly women.
- Small scale studies have highlighted **safety concerns by women and adolescent girls**, with surveys finding that half of the women interviewed did not feel safe on crowded buses or at bus stops. This was mirrored in surveys with adolescent girls, whereby half felt unsafe in public settings, and of this number, 15.6% never felt safe in public.
- Women account for around half of the 5.6 million people with **temporary residence** in their current residential location, equating to 36% of the population of Ho Chi Minh City and 18% of Hanoi. Over 50% of rural to

urban migrants in a major study reported living in crowded temporary housing, and women migrants were particularly concerned by the **lack of privacy and the risk of harassment and violence within their residential location.**

- Women are more likely to walk, use public transport, motorbike, or bicycle than men, who have greater access to cars. This influences women's ability to access and benefit from new connectivity infrastructure, such as bridges, if cars and truck routes are prioritised over pedestrian and public transport access. Global and local studies have also shown that women's daily itineraries demand multiple stops for children, household shopping, health care appointments, and work. The **design, user fees and location of transport infrastructure**, including distance between stops and to social services, **vitaly influences women's access.**
- The **improved levels of access to a clean water supply (95% of households) benefits women**, who undertake the majority of household water collection tasks and designate household use such as for domestic chores, health and personal care, in accordance with gender norms. Likewise, for upgraded sanitation, with women having a greater need for access, for example during pregnancy and menstruation. However, women's participation in water and sanitation supply decision making remains low, with clean water initiatives rarely considering a differentiated gender division of labour within households, especially among poor rural and ethnic minority communities.<sup>44</sup>
- Women have **low levels of**

<sup>44</sup> UN Women. 2020. *An Independent Gender Review and Impact Assessment of the National Target Programme on New Rural Development (NTP NRD) for the period of 2010-2020*. Hanoi: UN Women.

**representation in disaster risk management, and corresponding access to disaster preparedness training and knowledge.**

For example, in the Steering Committee for the COVID-19 response, only 4 out of 25 members were women and they were not in decision making roles. This is despite women's specific responsibility and duty to care for children and older relatives when disaster strike. The Viet Nam Women's Union has been a member of the Central Committee for National Disaster Prevention and Control since 2013. However, a recent report noted that their members have only been invited to committee meetings in 29% of the provinces, 44% of the districts and 51% of the communes.

- With only 23% of agricultural cooperatives being led by women and the low level of female representation at district and commune level, **women are seriously under-represented in planning and decision-making processes with respect to agricultural** production, with ethnic minority women being particularly marginalized. This is despite the fact that rural women outnumber men working in the agricultural labour force.
- **Sectors and subsectors** including forestry, rural roads, rural infrastructure, disaster reduction and climate management **infrequently consider the gender division of labour in both households and the community, including how labour divisions may differ between ethnic groups.** As such, there is a need for a comprehensive increase in women's contribution to planning, decision making and management of these development priorities, with a need for particular emphasis on the inclusion of ethnic minority women.

## KEY RECOMMENDATIONS



The CGEP has taken a two-fold approach to report recommendations. Individual chapters propose recommendations related to the issues that are discussed, specific to sub-sectors. This was considered to be of greater value to readers with a specific interest in a particular sector or issue.

The CGEP however also identified overarching recommendations that would support definitive progress towards substantive gender equality across Viet Nam. Intentionally, they are not directed to specific stakeholders, but identify the priority levers needed for improvement, and identify scope for public, private and social sectors to contribute to their achievement. They have been organised into three categories, as follows.

### **Recommendations to strengthen the implementation of existing gender equality commitments.**

#### Recommendation 1:

Mobilise and expend sufficient public financing for the implementation of all objectives the *National Strategy on Gender Equality 2021-2030*, together with the introduction of concrete mechanisms such as gender-responsive budgeting to ensure adequate resource allocation paired with the enforcement of laws, and the implementation and monitoring of policies and programs.

#### Recommendation 2:

Undertake specific action to close gaps in gender statistics, including the disaggregation of data by sex, age, ethnicity and disability. This

is especially needed in relation to issues which have a direct bearing on women's access to skills for future jobs, to financial and social security, and to the impacts of urban planning, rural restructuring, the environment and climate change.

#### Recommendation 3:

Utilise the opportunity of the forthcoming revisions of the *Gender Equality Law*, the *Law on Domestic Violence Prevention and Control*, *Land Law*, *Marriage and Family Law* and the *Law on Social Insurance* to address gender gaps and areas for reform. This includes increased gender mainstreaming in laws, the introduction of measures and coordination mechanisms to combat all forms of gender-based violence and discrimination, including new online forums, the recognition and elimination of harmful gender practices, improvement in the collection of administrative data on violence against women, and the expansion of the definition of gender equality beyond binary forms and with attention to intersectionality.

### **Recommendations to address the underlying barriers to gender equality.**

#### Recommendation 4:

Develop and implement a national communications strategy to tackle gender-biased social norms using evidence and data on the negative impact of those norms for Viet Nam's socio-economic development, including in partnership with public and community leaders.



#### Recommendation 5:

Revisit strategies, quotas and sanctions and undertake pipeline planning to see Viet Nam's share of women in leadership rise. This needs to encompass politics, public administration, private sector enterprises, peace and security, and peacekeeping operations, especially in executive and senior management positions.

#### Recommendation 6:

Recognise and remove the barriers faced by women in the workplace and business, by promoting equality in access to safe, decent, formal work and equalising access to information, resources (including access to assets and rights to control and dispose of the same) and support including access to markets and financing on non-discriminatory and non-punitive terms, for women in business.

#### Recommendation 7:

Pursue strategies to better target and address the lower development outcomes and discrimination faced by ethnic minority women, women with disabilities, young and elderly women, LGBTQI people, migrant women and women in informal work.

#### Recommendation 8:

Recognise, reduce and redistribute women's unpaid work including through public campaigns on a shared division of labour in the household and by facilitating greater investment in gender-responsive social and economic infrastructure including child and elder care services, including frameworks for

private sector engagement.

#### Recommendation 9:

Urgently increase the availability and quality of multi-sectoral, coordinated and survivor-centred essential services for women and children experiencing violence.

#### Recommendation 10:

Intensify public messaging and measures to reduce sex-selective abortion, and to promote the equal value of a child, irrespective of gender.

#### Recommendation 11:

Recognise sexual harassment in public places as a criminal act and include a definition of sexual harassment and all its forms, as well as related measures and penalties, in the *Criminal Code*.

### **Recommendations to drive gender equality progress in the coming decade.**

#### Recommendation 12:

Eliminate the gender stereotypes in the education and training system that stream young people into gender segregated, 'suitable' fields of study and occupations, and greatly increase the coverage of labour-market oriented technical training for all workers.

#### Recommendation 13:

Provide targeted programs and support for girls and women to enter STEM study and professions, and to reduce gender gaps and bias in access to digital literacy and employment opportunities in the digital economy.

#### Recommendation 14:

Create a mandate for women's representation in decision making bodies for preparedness and management of disasters, climate change and pandemics, and facilitate gender-responsive relief and recovery measures including women's uptake of government assistance as workers and businesses in recovering from COVID-19 impacts.

#### Recommendation 15:

Increase public investment in gender-responsive urban planning and development policies, and smart city development programs; climate change resilience and climate smart agriculture and rural development policies and programs that reach women; and gender-responsive socio-economic development policies and programs for ethnic minority groups and mountainous regions.

#### Recommendation 16:

Close the gender gaps in girls' and women's access to information, technology, markets and business development advice, in order to support the growth in the number and size of women-led businesses.





# CHAPTER 1. COUNTRY GENDER EQUALITY PROFILE



## 1.1 PURPOSE OF THE CGEP



The Country Gender Equality Profile (CGEP) for Viet Nam was commissioned as part of support by international organisations to Viet Nam's *National Strategy on Gender Equality (2021-2030)* (NSGE), working in close collaboration with the Gender Equality Department of the Ministry of Labour-Invalids and Social Affairs (MOLISA).

The main objective of the CGEP for Viet Nam 2021 is to serve as a primary source of evidence to drive the prioritisation of financing, programming and advocacy to advance gains and overcome bottlenecks to gender equality in Viet Nam. It is intended that the CGEP will also contribute to Viet Nam's monitoring of gender equality-related targets under the UN Sustainable Development Goals.

As compared with the parallel process to formulate the *NSGE 2021-2030*, with an emphasis on data availability, measurability and feasibility, the CGEP offers the opportunity to raise emerging, unquantified or contested gender equality issues. These issues, such as women's unpaid care work, violence against women or the gender disaggregated impact of disasters and climate change and access to energy, may not yet have a robust dataset for stimulating a government policy response or for the setting of targets. However, their irrefutable significance for women and girls and gender equality generally merits their treatment in the CGEP.

The CGEP is produced every five years. It is therefore intended to be a reliable reference and commentary on the current situation of gender equality in Viet Nam, which seeks to illuminate emerging gender equality concerns for the coming decade.

The CGEP was initiated by UN Women and the Government of Australia. This partnership then expanded to include the Asian Development Bank (ADB) and the International Labour Organisation (ILO). All partners have contributed content expertise, drafting and review. Relevant data and analysis by the World Bank is referenced throughout and select text boxes were contributed. The CGEP adopts the reporting format of UN Women.

## 1.2 METHODOLOGY



As a government initiative, the development of the *NSGE 2021-2030* was a highly consultative process. Led by a team of independent national gender experts, it engaged the views of a wide range of representatives from government, private sector, academia and civil society.

UN Women and Australia therefore proposed that the CGEP should complement, rather than replicate the NSGE development process. The CGEP is therefore a primarily desk-based, secondary source analysis. This was also suited to the travel and social distancing restrictions introduced to manage the global COVID-19 pandemic in 2020. Conducted over 9 months from August 2020 to May 2021, the CGEP is not intended to be a formal piece of research nor a global snapshot of Vietnamese women and girls' status against all social and economic indicators. Instead, it is a focused analysis, framed around priority issues and gaps relevant to gender equality progress in Viet Nam.

The core team comprised of two national gender experts, a senior statistician from the Social and Economic Statistics Department of the General Statistics Office, and an



international gender expert. This was complemented by national and international thematic experts (consultants and staff) from the ADB, ILO and World Bank. The task was managed by a team of senior gender experts from the UN Women Viet Nam Country Office, Australian Embassy and the ADB.

The *Gender Equality Law (2006)* in Viet Nam defines gender equality in terms of relations between men and women.<sup>45</sup> The CGEP takes a broader lens on gender equality to include discussion of gender identity and sexual orientation, and to highlight data relevant to intersectional identity – such as ethnicity, disability and age – and equality outcomes for these groups. However, the CGEP uses the terminology of ‘sex-disaggregated’ data throughout, rather than ‘gender-disaggregated’ data, given the fact that data sources in Viet Nam are disaggregated by biological sex, at present, and not by gender. Recommendations for definitions and data collection on gender equality to be more inclusive and to better capture diversity form part of this report. The CGEP has intentionally prioritised the discussion of women and girls. This is both to distinguish how their experience diverges from national averages, and to highlight the imperative and usefulness of disaggregated data and analysis for public policy. Fundamentally, it is also on account of women and girls having less access than men to the full spectrum of socio-economic development resources and opportunities and political representation.

The CGEP developed the following criteria for the identification of critical gender equality topics for inclusion:

- Topics that have a strong evidence base

<sup>45</sup> Article 5(3) states: Gender equality indicates that man and woman have equal position and role; are given equal conditions and opportunities to develop their capacities for the development of the community, family and equally enjoy the achievement of that development.

(e.g. nationally representative survey, published qualitative data);

- Topics related to targets in the *NSGE 2021-2030*;
- Topics related to Sustainable Development Goal 5, and other SDG targets deemed relevant to gender equality, noting where data was available and lacking;<sup>46</sup>
- Emerging or debated topics with a significant impact on women and girls or on a specific minority of women and girls, even in the absence of a robust evidence base; and
- Issues related to major gaps or bottlenecks to gender equality progress.

It should be noted at the outset that the Government of Viet Nam and its development partners have been concerted in investing in sex-disaggregated data collection and gender analysis on specific topics. This includes violence against women, labour and the economy, and health. Other topics have received less attention to date, notably climate change and the environment, agriculture, media and urban development. The CGEP reflects this, with some chapters being lengthy on account of the many data sources available and other sections being brief. With CGEP readers expected to represent different sectoral interests and read the report selectively, it was decided to publish chapters with different lengths rather than culling vital data for format uniformity. We acknowledge the imbalance this creates.

It is also noteworthy that the CGEP was being finalised as the largest COVID-19 outbreak

<sup>46</sup> There is a total of 54 gender-specific indicators and an additional 34 gender-relevant indicators from the official SDG indicators list. However, only 26 per cent of indicators are routinely collected across the Asia Pacific region. ADB and UN Women. (2018). *Gender Equality and the Sustainable Development Goals in Asia and the Pacific*.

was unfolding nationally in Viet Nam. The commentary on COVID-19 impacts and projections need to be read as current at mid-2021.

The following methods were employed to conduct the CGEP: 1) *Secondary review of datasets and thematic literature*: The CGEP team comprises a senior staff member from Viet Nam's General Statistics Office. This allowed the team to access and examine the sex-disaggregated and specific data available on gender topics of interest, including the Viet Nam SDGs, Census (2019), and national surveys (e.g. violence against women prevalence survey). Data from 2015 onwards was sought, but earlier sources are cited where recent data was not available. Alongside the review of primary data, the CGEP team sourced and reviewed thematic reports. 2) *Follow up with*

*content specialists*: Where data or reports were limited on a given topic, the team contacted subject matter experts in Viet Nam and internationally. 3) *External Technical Advisory Group (TAG)*: An external TAG was established to engage with the CGEP development at three key stages. Its primary function was to act as a source of technical knowledge for the development of the CGEP; provide review and advice on the development of the CGEP; assist in the recommendation of pertinent information, issues and documentation; and assist in identifying key contacts. The external TAG was engaged on three separate occasions for their review and feedback. The CGEP was then finalised once this process was complete.



## CHAPTER 2. VIET NAM'S GENDER EQUALITY PROGRESS



Photo: UN Women/Hoang Hiep

**Gains have been made, with more still to glean.** Against a backdrop of remarkable GDP growth averaging 6 per cent per year, pre-COVID-19, and sweeping social and economic modernisation, the past five years have seen Viet Nam's rise continue. It has grown in prominence as a regional leader and important international partner, and its deft management of successive COVID-19 outbreaks in the first 12 months has reinforced its standing as an adept nation. Viet Nam has increasingly been integrated into global production and value chains, with female-intensive export-oriented light manufacturing being a major stimulus of GDP growth. The country has also increased its global profile through its multilateral engagements, such as its Presidency of the UN Human Rights Council in 2021, and its deployment of a UN peacekeeping contingent for the first time, which met the UN guidelines on participation by women (minimum 15 per cent).

Over this period, Viet Nam has maintained a positive reputation as a country where women enjoy formal equality under the law, have comparatively high workforce participation and access to economic opportunity, and ever improving health and higher education attainments. However, at an aggregate level, closing gender gaps in Viet Nam is moving well beyond a focus on basic human capabilities to addressing the barriers and biases facing women's empowerment.

Existing gender gaps are coalescing with a new generation of equality concerns. Persistent gaps include: an increasing sex ratio at birth in the context of son preference; stereotypes on gender-appropriate fields of study and streaming into a narrow range of occupations; vulnerable, unprotected and low paid employment; bias against women in leadership, especially with respect to holding

executive positions or at the level of village head; a high prevalence of intimate partner violence, alongside the low availability of support services; and an expectation that women are responsible for unpaid care work, and need to balance this with paid work, in the face of a limited childcare infrastructure. There is also increasing acknowledgement of the extent to which patriarchal norms restrict women's choices. Future concerns include: women's rebound and recovery from COVID-19 in workforce participation and business; women's access to skills, qualifications and jobs in an increasingly digitalised economy, requiring labour literacy in new technologies; gender wage and pension gaps leading to impoverishment in later life; urban development that reflects women's realities and preferences; managing the restructuring of the agricultural sector so that women can transition to new income opportunities; and the low involvement of women in information, decision making and plans relating to climate change resilience. A consideration of how greater inequalities persist for certain groups of women and girls, such as women from ethnic minority groups, women living with disabilities, rural or migrant women, and single mothers is also calling for greater attention to the compound negative impact of gender and other socio-economic variables – or what is termed, 'intersectionality'.

To assess gender equality progress in Viet Nam over the past five years, two benchmarks were used: 1) examining Viet Nam's standing in global rankings over the period; and 2) measuring achievement against the national gender equality targets that the Government of Viet Nam set for itself. It is notable that the CGEP commenced as the COVID-19 crisis was unfolding. With the pandemic continuing into 2021, it may mark a point in history where progress against development indicators defies trends to that point. 2020/21 data points are



presented below, where available, but without definitive conclusions able to be drawn on trajectories from this point.

### **Standout economic ratings, above average on parliament, outlier on son bias.**

Currently, globally, Viet Nam is ranked as 'middling' overall in two of the major international indices measuring gender gaps (See Table 1). The UNDP Gender Inequality Index measures indicators where Viet Nam has performed well and stably, namely maternal survival, educational parity at secondary level, and the share of working age women in the workforce. The five-year National Assembly term also means data has been relatively steady for women's political participation over the period. In April 2021, Viet Nam was ranked 71<sup>st</sup> of 193 countries on the Women in National Parliaments Index of the Inter-Parliamentary Union.<sup>47</sup> However, the results of the National Assembly election in May 2021 has seen Viet Nam rise to a ranking of 53<sup>rd</sup>. Parity in political representation is recognised as the gender gap which will take the longest to close, globally.<sup>48</sup>

By contrast, Viet Nam's ranking by the Global Gender Gap Index of the World Economic Forum has seen fluctuation (See Table 1). Overall, the country has fallen 22 places over the past five years. As a comparative index on the closing of gender gaps, the 2020 edition of the report noted that some of Viet Nam's fall was due to commensurate improvements in other countries, such as a surge in the proportion of women parliamentarians that can occur on an election day. Viet Nam will recover some ground on that sub-index following the May 2021 National Assembly results. The sub-index ratings in the 2021 report offer important insights into country progress. According to this edition, a stand out for Viet Nam is its performance on Economic

Opportunity and Participation.<sup>49</sup> Based on the gender gap in labour participation, earnings, and advanced (defined as the ratio of women in senior, professional and technical roles), Viet Nam has continued to outperform the majority of countries, including some high-income peers. The country also fares well on the parity in Education subindex, measuring gender gaps in literacy and enrolments in primary, secondary and tertiary education. On the Political Empowerment sub-index (published ahead of the 2021 election cycle in Viet Nam), Viet Nam's drop in ranking over the past five years is in part due to the low number and then lack of female Ministers and by never having had a woman as Head of State. The extreme outlier for Viet Nam is on Health and Survival. This captures two indicators, the gender gap in life expectancy between men and women, and the sex-ratio at birth. On this latter measure, Viet Nam now numbers among the five lowest-ranked countries worldwide for 'missing' girls. In-depth analysis of the 2019 Population and Housing Census estimated that 45,900 female births are missing every year in Viet Nam due its current high rates of sex-selective abortion.<sup>50</sup>

47 <https://data.ipu.org/women-ranking?month=4&year=2021>

48 World Economic Forum (WEF). 2021. op. cit.

49 "The participation gap is captured using the difference between women and men in labour force participation rates. The remuneration gap is captured through a hard data indicator (ratio of estimated female-to-male earned income)<sup>2</sup> and a qualitative indicator gathered through the World Economic Forum's annual Executive Opinion Survey (wage equality for similar work).<sup>3</sup> Finally, the gap between the advancement of women and men is captured through two hard data statistics (the ratio of women to men among legislators, senior officials and managers, and the ratio of women to men among technical and professional workers)

50 GSO. 2020. *The Population and Housing Census 2019. Sex Imbalance at Birth: Trends, Variations and Determinants.* op.cit.

TABLE 1: VIET NAM'S RANKING IN TWO GLOBAL GENDER INDICES, 2016 – MOST RECENT YEAR OF DATA

Index	2016	2018	2020	2021	Progress
<b>Global Gender Gap Index, World Economic Forum (156 countries)</b>	<b>65</b>	<b>77</b>	<b>87</b>	<b>87</b>	↓
Economic Opportunity and Participation	33	33	31	26	↑
Educational Attainment	93	101	93	94	=
Health and Survival	138	143	151	152	↓
Political Empowerment	84	99	110	121	↓

	2016	2018	2019	2020	
<b>Gender Inequality Index, UNDP (189 countries)</b>					
Composite index: Health (maternal mortality and adolescent birth rate); Empowerment (% seats in parliament, secondary education); and labour force participation rate.	115	116	118	117	No significant change
Life-course gender gap	115	116	118	117	
Women's empowerment	-	116	118	117	

Source: Human Development Reports and Global Gender Gap Index reports (2016 – 2021).

### National gender equality targets – met, missed and eluding measurement.

The *National Strategy on Gender Equality 2011-2020* contained 7 thematic objectives and a corresponding 22 targets. These targets reflected the priorities of the government for advancing gender equality in Viet Nam. By 2020, definitive progress against objectives and targets was mixed. Overall, 2 out of the

7 objectives had met all targets, namely: Objective 4 on ensuring gender equality in access to and benefits from healthcare services; and Objective 5 on gender equality in the sphere of culture and information with targets on a reduction in gender-stereotyped communications and broadcast of specialised columns and programs on gender equality across the broadcasting network. Individual targets met included: ensuring men and

women each accounted for 40 per cent of new job vacancies filled; reducing maternal mortality to below 46 cases per 100,000 live births (although not met in the case of ethnic minority women); and reducing the abortion rate to below 25 per 100 live births.

Objective 1 on narrowing the gap in ‘women’s participation in leadership and managerial positions in the political sphere’ was the sole objective where no target was met. The targets pertaining to the share of National Assembly seats (above 35 per cent for the 2016-2020 term), as well as women’s representation on ministerial and government agencies and people’s committees were not reached, and the data was insufficient to evaluate the share of women leaders in party, state agencies, and socio-political organisations. This has been attributed to several factors, including: inconsistency in the formulation of quotas across government documents; the use of non-binding language; lack of a holistic pipeline analysis and strategy; and the need for leadership reinforcement and sanctions for failure to achieve targets.<sup>51</sup>

Other targets not met included: the proportion of women with a master’s degree to be 50 per cent by 2020, and the proportion of women with a doctoral degree to be 25 per cent by 2020 (achievement = 43 per cent and 28 per cent, respectively); the proportion of women who owned businesses to be 35 per cent by 2020 (achievement = 27.8 per cent); and the proportion of rural women workers under 45 years old who undergo professional and technical training to reach 50 per cent by 2020 (achievement = 17.4 per cent).

TABLE 2: PERFORMANCE AGAINST NSGE TARGETS, 2016-2020.

Index	2016-2020
Total # of objectives	7
Total number of objectives where all targets achieved	2
Total # of targets	22
# of targets achieved	14
# of targets not met	7
# of targets with insufficient data to assess	1

Source: MOLISA. 2020.<sup>52</sup>

**Change takes time, but momentum needs stoking.** The final lens utilised for reviewing Viet Nam’s gender equality progress was by reference to the recommendations in the Viet Nam Country Gender Assessment published in 2011.<sup>53</sup> While the recommendations had a long-term vision and were not necessarily time-bound, all nine remain pertinent today, albeit with some updated features.

51 Government of Viet Nam. 2020. Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020.

52 Government of Viet Nam. 2020. Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020. op. cit

53 World Bank. 2011. Vietnam Country Gender Assessment. Hanoi: World Bank.

FIGURE 1: PROGRESS AGAINST RECOMMENDATIONS FROM THE LAST NATIONAL GENDER ASSESSMENT.

- ✓ Improve implementation of the *Gender Equality Law* and *National Strategy on Gender Equality*.
  - *Some state, international and private financing mobilised for the strategy, and an annual review of progress against targets in the National Assembly. The Gender Equality Law provided a basis for responding to gender-based violence, and to increased gender mainstreaming in legal normative documents.*
- ✓ Increase the involvement of men and boys in addressing gender issues.
  - *Government and UN dialogues with men on gender-based violence through 'male advocate clubs', and of programs such as Connect with Respect in schools. The first research report on men and masculinities produced by an independent research institute.*
- ✓ Increase quantity and quality of research data for monitoring and analysing gender issues.
  - *Endorsement of an improved gender statistics framework, and key specialised studies undertaken such as on the prevalence of violence against women and commencement of a government-led time use survey.*
- ✓ Revise educational curricula and materials to better promote gender equality.
  - *Government and UN revision of the national basic education curriculum to remove gender stereotype portrayals and promote respectful relations.*
- ✓ Promote a comprehensive, cross-sectoral approach to the problems of gender-based violence.
  - *UN's Essential Services Package supports inter-ministerial coordination and guidelines for a frontline response to women experiencing violence. MOLISA and MOCST collaborate on an integrated program to address violence against women and children.*
- ✓ Increase training and incentives for women to enter a broader range of occupations.
  - *Revision of the Labour Code 2019 to remove the list of proscribed occupations for women - an important step.*
- ✓ Address the double work burden through better infrastructure and policy support.
  - *Government undertaking a planning and costing study for childcare services in urban and industrial zone sites, aligned with Decree 145 of the Labour Code 2019, is underway with support of the World Bank.*
- ✓ Equalise the mandatory retirement ages for men and women.
  - *Gap closed from 5 to 2 years, to be reached by 2035, as per Labour Code 2019.*
- ✓ Capacity building for women's empowerment and involvement in civic life.
  - *Introduction in 2017 of the Gender Equality in Leadership and Management course as part of the Advanced Diploma of Politics led by the Centre for Gender Studies and Women's Leadership (GeLEAD) at the Ho Chi Minh Academy of Politics.*



# CHAPTER 3. FRAMEWORK FOR GENDER EQUALITY



## 3.1 INTERNATIONAL NORMATIVE FRAMEWORK

**Viet Nam engaging with international normative processes.** Specific to gender equality, Viet Nam was the second country in the Asia Pacific region to ratify the *UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* in 1979.<sup>54</sup> To date, Viet Nam has not signed the *CEDAW Optional Protocol 1999* which is an important communications or complaints mechanism.<sup>55</sup> It has engaged with the CEDAW State Reporting process, with the combined seventh and eighth report submitted in 2013. The ninth report has been prepared by the Government and formal submission to the CEDAW Committee is pending.<sup>56</sup> The first non-government alternate report on CEDAW was submitted by GENCOMNET<sup>57</sup> for the sixth session in 2010, and NGO reports were also filed for the seventh and eighth session. Gender issues have been raised under reporting processes for other treaties in the past five years. For example, in 2019, in relation to the *International Covenant on Civil and Political Rights*, the Human Rights Committee noted with concern the low level of women in political life, and the biases, stereotypes and discrimination women face, especially in rural areas. It also raised concerns at the absence of protection against discrimination on the grounds of sexual orientation, gender identity, and same-sex marriage.<sup>58</sup>

Viet Nam has ratified 7 of 9 core human rights conventions, with their comprehensive anti-discrimination provisions. To date, it has not signed the *UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families 1990*. It has ratified 7 out of the 8 Fundamental Conventions of the ILO, including *Convention No. 100 on Equal Remuneration 1951* and *Convention No. 111 Discrimination (Employment and Occupation) 1958*.<sup>59</sup> In terms of technical conventions directly related to women, Viet Nam is yet to sign *Convention No. 189 Domestic Workers Convention 2011* and *Convention No. 190 on Violence and Harassment 2019*. Notably, in its response to the Universal Periodic Review session in 2019, when Viet Nam 'supported' the recommendation to ratify the CEDAW Optional Protocol.

In 2019, Viet Nam also submitted an official report under the requirements of the Beijing +25 processes. Key achievements duly noted were: an improved legal and institutional framework to promote gender equality and women's empowerment; increased women's participation in employment and the sphere of politics; and the piloting of service models to respond to gender-based violence. Limitations and challenges reported included gender stereotypes with respect to women at work and their role in the family; insufficient resources and knowledge to ensure the thorough gender mainstreaming of laws and sub-laws; and the lack of a universal sex-disaggregation of data across all sectors.<sup>60</sup> Alternative reports – a Youth Report and one by GBVNet, a network of NGOs addressing gender-based violence (GBV) – were submitted under the Review

54 [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=192&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=192&Lang=EN)

55 Ibid.

56 The CEDAW Committee's Concluding Observations (2015) have been integrated throughout this report. The ninth report was due on 31 July 2019.

57 GENCOMNET is an NGO network on gender and community development that was established in 2005.

58 UN Human Rights Committee. 2019. *Concluding observations on the third periodic report of Viet Nam, CCPR/C/VNM/CO/3*: Paragraphs 15 and 19.

59 For the status of Viet Nam's ratification of ILO Conventions, see: [www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::no:11200:p11200\\_country\\_id:103004](http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::no:11200:p11200_country_id:103004)

60 Government of Viet Nam. 2019. *National Review Report on 25-Year Implementation of the Beijing Platform for Action*. Accessed 6 October 2020. <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/vietnam.pdf?la=en&vs=114>

of the 25-year implementation of the Beijing Declaration and Platform for Action ('Beijing +25 process'), supported by UN Women. Key issues raised included the need to: address women's unpaid work through data collection and advocacy; legalise same-sex marriage; invest in remote areas to prevent precarious migration by women; promote substantive gender equality in education and vocational training; prohibiting gender discrimination in recruitment;<sup>61</sup> and, regarding GBV, to strengthen awareness of GBV as a criminal act, not a private issue; build up services for victims/survivors; and recognise civil society's role as a service provider.<sup>62</sup>

**Giving prominence to gender equality in international platforms.** The past five years has seen Viet Nam assume leadership in regional and UN forums, by rotation and by member state election, and gender equality has been included in its formal agenda for these roles. As Chair of the Asia-Pacific Economic Cooperation (APEC) in 2017, Viet Nam hosted a stand-alone Women and the Economy Forum with a resulting Outcome Statement as part of the official program. In 2020, as Chair of ASEAN, the promotion of gender equality and women's empowerment was a priority on Viet Nam's agenda. During this time, despite COVID-19 restrictions, Viet Nam hosted a global conference on Women, Peace and Security, on the occasion of the 20<sup>th</sup> anniversary of UN Security Council Resolution 1325 (2000). The conference resulted in the Hanoi Commitment to Action<sup>63</sup> document,

endorsed by 75 member countries and submitted to the President of the Security Council on 22 February 2021. Furthermore, on the international stage, Viet Nam assumed a non-permanent seat on the UN Security Council commencing 3 January 2020, with 192 of the 193 member state votes.<sup>64</sup> Support for women, peace and security was a listed priority in its 11-point agenda for the 2020-2021 seat. This was the second time that Viet Nam occupied a seat on the UNSC. In its first term, Viet Nam sponsored the drafting of *UNSC Resolution 1889 (2009)* calling for mainstreaming gender perspectives in all decision-making processes, especially in the early stages of recovery and peacebuilding. Viet Nam assumed Presidency of the UNSC in April 2021.

### 3.2 LEGAL AND POLICY FRAMEWORK

The gender equality references or significance of individual pieces of legislation are summarised in Section 3.2. However, some overarching comments can be made on developments in the legal framework over the past five years.

**A solid legal normative foundation, with recent reforms towards gender equality.** Viet Nam is commended in several forums for its improved legislative framework for gender equality. In 2015, the CEDAW Committee recognised a number of Viet Nam's recent law reforms as a positive aspect of the State Report, including pro-gender equality amendments to the *Constitution (2013)*, *Land Law (2013)* and *Law on Vietnamese*

61 UN Women and Center for Education Promotion and Empowerment of Women (CEPEW). 2019. *Independent Report from Perspectives of the youth in Viet Nam on the Implementation of the Beijing Declaration and Platform for Action +25*. Hanoi: UN Women.

62 UN Women and GBVNet. 2019. *Independent Review Report: 25 Year-Implementation of the Beijing Declaration and Platform for Action in Viet Nam, focusing on Gender-Based Violence from Perspectives of Civil Society Organisations*. Hanoi: UN Women.

63 *Ha Noi Commitment to Action: Strengthening Women's Role in Building and Sustaining Peace: From Commitments to Results. International Conference on Women, Peace and Security. Ha Noi, Viet Nam, 7 – 9 December 2020. <https://undocs.org/pdf?symbol=en/A/75/75>*.

64 <https://e.vnexpress.net/news/news/vietnam-assumes-un-security-council-presidency-4256534.html>

*Nationality (2014)*. In the five years since, the imperative for gender analysis to inform gender mainstreaming in lawmaking has also been given prominence. The *Law on Promulgation of Legal Normative Documents (2015)* introduced a requirement that agencies drafting codes and laws are to comply with gender mainstreaming requirements in their formulation. While implementation challenges exist and are discussed below, MOLISA reported that of 111 legal documents passed since 2015, 40 have satisfied the gender equality requirement. This is not an insignificant number in a five-year period of lawmaking, even if there is scope for further regulation.<sup>65</sup> Efforts to mainstream gender in legal documents was highlighted as an unequivocal achievement by the independent team reviewing the *National Strategy on Gender Equality 2011-2020*.<sup>66</sup>

By global benchmarks, in 2019, Viet Nam was rated as having a 'low' level of discrimination against women including in its formal laws by the OECD's *Social Institutions and Gender Index*. This was an improvement from a 'medium' ranking in 2014.<sup>67</sup> In the World Bank's *Women, Business and the Law* report for 2021 measuring women's legal rights in the economy, Viet Nam scored 81.9 out of 100, above the global average of 76.1 per cent. This was an increase on its 2020 score due to reforms towards gender equality in the Labour Code, specifically the removal of the list of jobs deemed dangerous for women. Viet Nam has had a dedicated *Gender Equality Law* since 2006, and a review of the last 10 years of implementation was completed in 2020. (See boxed text) To date, the legal definition of gender equality is binary, pertaining only to men and women, and there is no reference to

## **Selected recommendations for the forthcoming revision of the Gender Equality Law:**

### *For law makers:*

- Ensure definitions consistent with CEDAW.
- Recognise indirect and intersectional discrimination.
- Define harmful acts, including gender-biased sex selection, sexual harassment, early and forced marriage.
- Define prohibited acts and clarify sanctions, including criminal and monetary sanctions.
- Expand the scope to include any and all sectors.

### *For state management:*

- Provide clear guidance on the allocation of budget.
- Increase inspections and sanctions (e.g. sex-selective abortion, workplaces).
- Intensify professional development on gender equality knowledge gaps.
- Create a complaints procedure.

*MOLISA and UNFPA. 2020. Review of the 10 years of implementing the Gender Equality Law.*

65 Cited in Government of Viet Nam. 2020. *Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020*.

66 Ibid.

67 <https://www.genderindex.org/country/viet-nam-2014-results/>

gender identity and sexual orientation within the definition and scope of gender equality provisions.

**A review of laws, policies and programs on gender stereotypes, discrimination and impacts is needed.** The *Constitution 2013* explicitly states that gender discrimination is strictly prohibited, and that the State has a policy to 'guarantee equal gender rights and opportunities'.<sup>68</sup> However these protections and guarantees have not been mirrored in the drafting of laws. A review of key sectoral and procedural laws passed since 2014 found that less than half have adopted anti-discrimination provisions based on 'sex'. These include the *Civil Code (2015)*, *Law on Elections (2015)*, *Law on Access to Information (2016)*, *Law on Press (2016)*, *Law on Children (2016)*, and the *Law on Social Insurance (2014)*. Viet Nam has also been called upon to review laws with language perpetuating gender stereotypes, including the *Law on Marriage and Family (2015)* and the *Law on Children (2016)* which encodes domestic duties on the basis of sex.<sup>69</sup> Comprehensive anti-discrimination protections on the basis of race, national or social origin, ethnicity, disability, gender identity and sexual orientation, and age are also salient for recognising and countering intersectional forms of gender discrimination. However, the legal framework has been exemplified as not having a strong foundation for addressing intersectional gender discrimination, at this time.<sup>70</sup>

There are also several laws that make no reference to gender equality principles or to different policies needed to address the diverse issues facing men and women. These include the *Law on Environment Protection*

(2014), *Law on Science and Technology (2013)*, *Law on Forestry (2017)* and taxation related laws. It is also noted that the *Media Law (2016)* does not currently prohibit discriminatory or gender stereotypical content (although this prohibition exists in the *Law on Advertising (2012)*), and the *Law on Statistics (2015)* does not include an obligation requiring state agencies to produce sex-disaggregated statistics. By being drafted as gender neutral, these laws overlook the differential dimensions of women and men's representation, access and impacts of these sectors. They also risk disadvantage, such as women's unequal access to tax breaks targeted at large enterprises or high-income earners.<sup>71</sup>

**Temporary special measures exist, but achievement lags.** Laws in Viet Nam do provide temporary special measures for women, in limited fields. Under the *Gender Equality Law (2006)*, for instance, quotas were set for women's participation in the National Assembly and for management positions in state management agencies. Preferential tax incentives have been legislated for enterprises with large female workforces, and access to credit is prioritised for rural women to encourage activity to expand the agriculture, forestry and fishing sectors.<sup>72</sup> However, these measures have had mixed results. For example, the quotas on women's leadership have not yet been met, and sex-disaggregated data on the uptake of tax incentives is not available.

The CEDAW Committee has made reference to the need for Viet Nam to use temporary special measures as a component of a strategy to 'accelerate achievement'.<sup>73</sup> Temporary special measures could be used to address a range of

68 Article 26.

69 UN Women and Center for Education Promotion and Empowerment of Women (CEPEW). 2019. *Independent Report from Perspectives of the youth in Viet Nam on the Implementation of the Beijing Declaration and Platform for Action +25*. op. cit

70 United Nations (UN). 2016. *Viet Nam Gender Briefing Kit*. Op.cit.

71 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. op. cit

72 Ibid.

73 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. op. cit.

issues such as: the low proportion of women in managerial positions in the education sector, including higher education; discrimination faced by ethnic minority girls and girls with disabilities in access to and within education; to closing gender gaps with respect to the proportion of researchers and access to grants in the science and technology sector; and the low proportion of women in business ownership.<sup>74</sup> However, legislating a special measure is not sufficient on its own to support and fast-track the achievement of a target.

**Investment is needed to translate law into plans in support of substantive gender equality.** While the legal framework is an essential foundation, and can in some cases precede social change, the translation of this framework into substantive equality involves several factors. This includes accountable institutions, alignment of social and economic policies, and sufficient human capacity and financial resourcing.<sup>75</sup> This is an area requiring further development and investment in Viet Nam. MOLISA's recent review on implementing the *Gender Equality Law (2006)* over the past decade notes that despite the developed legal framework, implementation decrees were slow to be endorsed which left agencies without authorisation or practical guidance.<sup>76</sup> Public financing shortfalls have also hindered the implementation of programs, public education and measures to support the realisation of obligations under law. The CEDAW Committee noted that the implementation of laws and policies was hampered by, 'insufficient human, technical and budgetary resources'. It also highlighted the limited grasp of 'substantive

gender equality' by lawmakers.<sup>77</sup> Prevalent gender norms and perspectives on men and women's destined socio-cultural roles and capabilities also pose formidable barriers to change, even where progressive laws exist.

**Inconsistency in gender mainstreaming requirements for drafting laws.** The *Gender Equality Law (2006)* stipulates that gender equality mainstreaming is mandatory for all laws. The *Law on Promulgation of Legal Normative Documents (2015)* only requires it in circumstances where legislation 'is [directly] related to gender equality'. The MOLISA-commissioned review of the *Gender Equality Law* also suggested that 'gender-neutral language appeared to be used to avoid gender analysis'. Of equal note, the *Gender Equality Law (2006)* only applies to legal normative documents.<sup>78</sup> Positively, the *National Strategy on Gender Equality 2021-2030* requires gender mainstreaming in socio-economic development plans, programs and strategies.

It is worth noting that the process for the gender mainstreaming of legislation is resource and time intensive. While the *Labour Code 2019* can be regarded as a centrepiece reform of the period, it had multiple agencies offering data and technical assistance over a multi-year period. With the resourcing constraints that exist, a two-fold approach may be warranted: 1) clarifying a minimum gender mainstreaming requirement for all laws, with guidance, including anti-discrimination provisions, attention to priority groups or intersectional discrimination, removal of stereotypical language, and an article responding to key gender issues in the sector; and 2) a targeted approach

74 MOLISA and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. Hanoi: Hong Duc Publishing House. *op. cit*

75 Fontana, M. 2017. *Vietnam Country Context Paper*. Manila: Investing in Women.

76 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. *op. cit*

77 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. *op. cit*

78 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. *op. cit*

with the Government of Viet Nam for more comprehensive gender mainstreaming of laws with a substantive potential to impact gender equality.

**Priorities for the legislative agenda on gender equality.**

In the next few years, Viet Nam is revising both the *Gender Equality Law*, the *Law on Domestic Violence Prevention and Control* and the *Law on Social Insurance*, and subsequent implementing decrees. These are the priority entry points for a targeted gender mainstreaming approach.

**3.2.1 GENDER EQUALITY WITHIN INDIVIDUAL LAWS**



This section provides a snapshot of key legislation noting provisions that have been highlighted as significant for gender equality.

**Gender Equality Law (2006)**

This was the first time that the concept of gender equality was defined under Viet Nam law. The definition emphasises the equal status and roles of men and women, to be applied for the development of the community and the family. This framing of formal equality under the law underpins foundational documents and plans on gender equality in Viet Nam.<sup>79</sup> It acknowledges discrimination against rural and ethnic minority women, however it does not encompass indirect discrimination nor specifically mention other groups that experience gender disadvantage including those living with disabilities, or with non-binary gender identity. A MOLISA-commissioned review of 10 years of

79 Government of Viet Nam. 2020. *Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020*. Op.cit.

implementation appraised the law as being consistent with the principle of substantive equality (i.e. that men and women enjoy similar outcomes). However, it noted that the definition of gender equality is binary and it does not encompass diverse gender identity. The law omits reference to harmful practices such as gender-biased sex-selection, sexual harassment, early and forced marriage, non-consensual medical procedures performed on women with disabilities, and others as defined by CEDAW, and there are no prohibited acts or related sanctions.<sup>80</sup> Lastly, the law refers to gender-based violence, but it is not defined and no actions are assigned to duty bearers.

**Law on Domestic Violence Prevention and Control (2007)**

This law introduced the concept of violence against women by an intimate partner as a punishable, criminal offense. It does not, however, criminalise rape in marriage. Section 2 of the law provides for reconciliation and mediation of family conflicts and disputes within the family. Local agencies can be invited to mediate in cases of domestic violence. The CEDAW Committee noted, with concern, that this discourages access to justice and the right to live free from violence.<sup>81</sup> It reinforces the norm that domestic violence is a private matter, rather than a crime punishable by law.

**Law on Persons with Disabilities of Viet Nam (2010)**

Apart from two articles prescribing the prioritisation of health check-ups for women with disabilities during pregnancy, and a personal health subsidy for women with

80 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. op. cit

81 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. op. cit



disabilities resident in social protection centres, the MOLISA review noted that this law is drafted in non-gender specific terms which ‘masks’ the barriers that women and girls with disabilities face.<sup>82</sup>

### Land Law (2013 revision)

To address the low incidence of women being named on land use rights certificates, the law provides for the issuance of certificates in both spouses’ names. While the law supports equal inheritance rights to land and non-land assets to men and women, it expressly prohibits the disinheritance of surviving spouses.

### Marriage and Family Law (2014 revision)

The law recognises the legal age of marriage as 20 years for men and 18 years for women. It also refers to the ‘lofty motherhood function’<sup>83</sup> of women and support for the traditional, heteronormative concept of marriage and the family. Prohibition of same-sex marriage was removed by the 2013 revision, but not replaced by its recognition. The CEDAW Committee (2015) noted its concern with the discriminatory gender binary provisions. In the 2019 Universal Periodic Review (UPR) process, Viet Nam maintained the existing age gap in marriage<sup>84</sup> and noted, but did not support, recommendations to legalise same-sex marriage.<sup>85</sup>

### Law on Social Insurance (2014 revision)

Under this law, for the first time, men paying social insurance premiums for at least 6 months were entitled to paid leave (between 5 and 14 days) and allowances when their wives give birth. It also codifies maternity-related

protections, as well as a leave period upon miscarriage, abortion and still-birth.

### Civil Code (2015 revision)

This codifies the right to gender ‘re-determination’, gender ‘transformation’ and the right of people whose gender is transformed to a name change.<sup>86</sup>

### Law on State Budget, 2015 revision

The 2015 revision of the Law on the State Budget (Clause 5, Article 8) requires the State to allocate budget for gender equality as a priority.

### Law on Promulgation of Legal Normative Documents (2015)

This law stipulates that government agencies which are responsible for drafting laws are expected to comply with gender mainstreaming requirements in their formulation.<sup>87</sup> However, unlike the higher standard set in the *Gender Equality Law (2006)* whereby gender equality mainstreaming is mandatory for all laws, this law only requires it where legislation ‘is related to gender equality’. The MOLISA-commissioned review of the Gender Equality Law also suggested that ‘gender-neutral language appeared to be used to avoid gender analysis.’<sup>88</sup>

### Law on Elections of National Assembly Deputies and People’s Council Members (2015)

This law introduced the quota that at least 35 per cent of total official candidates for the National Assembly and People’s Council should be women.

82 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. *op. cit*

83 Article 2, paragraph 4.

84 Recommendation 38.230 by Zambia.

85 Recommendations 38.231 (Canada), 38.229 (Iceland) and 38.98 (Netherlands).

86 Articles 36, 37 and 28 respectively.

87 Of 111 legal documents drafted since 2015, 40 satisfied the gender equality requirement. Data from 2017 Ministry of Justice Report cited in Government of Viet Nam. 2020. *op. cit*

88 Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *op. cit*

### Law on Children (2016)

Gender roles are ascribed in this law, with children having a duty to help parents with housework 'suitable with his/her gender'.<sup>89</sup>

### Legal Aid Law (2017)

The law offers free legal aid to people experiencing financial difficulties, including people experiencing domestic violence and they may have limited access to finances. This would for the most part apply to women.

### Law on Support for Small and Medium Enterprises (SMEs) (2018)

The law introduced a definition of a woman-owned SME (namely, with one or more women holding 51 per cent of capital, of whom at least one is also manager). Where SMEs qualified for entitlements or support, the law prescribed that woman-owned SMEs should receive preferential treatment.

### Labour Code (2019 revision)

The 2019 revision addressed several key gender gaps. It narrowed the gender gap in retirement age from 5 to 2 years by 2035, and it removed the list of 77 occupations proscribed for women and/or pregnant and breastfeeding women. It further defined sexual harassment at work, and extended employer obligations for childcare or kindergarten to those with large workforces (not just those with predominantly women workers). Maternity leave (6 months paid), breastfeeding breaks (60 minutes per day) and menstruation breaks (30 minutes per day, during a period) are codified. However, the language used echoes the 'motherhood function of women workers' – 'with support to women to 'harmoniously combine their working lives with their family lives'.<sup>90</sup> (See further analysis below.)

89 Article 37, paragraph 2.

90 Chapter 10, Article 135, paragraph 3.

### Law on Contract-Based Vietnamese Overseas Workers (2020)

This law specifies that the government policy is to ensure gender equality in labour migration, and that it is free from discrimination including in recruitment. The law also prescribes the development of gender-responsive measures to protect Vietnamese migrant workers.

### CEDAW Committee recommendations on the legal framework.

- With respect to Viet Nam's legal framework for gender equality, in 2015, the CEDAW Committee made the following recommendations. These remain relevant for consideration in 2021:
- Revise the *Penal Code* and *Criminal Procedure Code* to criminalise all forms of violence against women, including dating violence, marital rape, violence in public settings and sexual harassment.
- Review the *Law on Administrative Violations Sanctions (2012)* and the *Law on Administrative Penalties (2012)* with a view to decriminalising 'prostitution' (sex work and sex workers).
- Review the differential age of marriage in the *Law on Marriage and Family*, consider women in de facto unions and their children, and adopt measures that can assure their rights upon the dissolution of the relationship.
- Discriminatory clauses persist in a range of laws including the *Labour Code*, *Law on Social Insurance*, *Law on Children*, and population policy as applied to ethnic minority women.
- Lastly, the Committee recommended that Viet Nam adopt a comprehensive

anti-discrimination law with protection from discrimination including on the explicit grounds of sexual orientation and gender identity.<sup>91</sup> The CEDAW Committee expressed concern about the absence of recognition of same-sex marriage, and a further concern that children under the age of 9, born with intersex variations, may undergo irreversible gender assignment surgery without need for consent.

Viet Nam is scheduled to submit its 9<sup>th</sup> periodic State Report on CEDAW. Submission was still pending at the time of this report, and a session time has therefore not yet been announced.

### 3.2.2 POLICY FRAMEWORK



A major policy accomplishment in the past five years covered by this CGEP has been the *National Strategy on Gender Equality (NSGE) 2011-2020*, and the formulation and approval of the successor strategy for the period 2021-2030. The outcomes under the former Strategy has been discussed in Section 1. Considering the mixed progress and measurability of the previous NSGE, a priority for the government was that targets be feasible and measurable. The *NSGE 2021-2030* has 6 objectives and 20 targets (See annexes for the full list of objectives and targets). It also has a section that specifies responsibilities and essential solutions, by state agencies. In the section on budget for implementation, there is direction that a state budget for the

NSGE will be included in the annual budget estimates of ministries, branches and localities, and would complement the mobilisation of international funding as well as that from society and community sources. The monitoring framework for the *NSGE 2021-2030* was in development at the time of this report, as were ministry and provincial-level Plans of Action on Gender Equality.

With a government emphasis on the achievability of targets under this NSGE, the strategy has reduced and simplified the targets. Notably, in comparison to NSGE 2021-2030, there is no longer a separate objective on enhancing state management capacity for gender equality. This has instead become an implementing 'solution'. Targets on leadership for the National Assembly are not included, with a focus instead on women's representation in senior roles in state management and local authorities (75 per cent by 2030). Increasing the percentage of women in formal employment has been introduced (60 per cent by 2030), alongside reducing the proportion of women working in agriculture (below 25 per cent). A lower target has been set for women's business ownership (30 per cent by 2030). Targets on service outreach to women who have experienced violence or been trafficked have been maintained, as has reducing the gender gap in housework. The sex ratio at birth target is more stringent (109 boys born per 100 girls) by 2030, and a target to lower the adolescent birth rate has been introduced (below 18 per 1,000 by 2030). Significantly, the NSGE refers to 'LGBT people' for the first time in a gender equality strategy or law. However, it focuses on tailored health care services which is an area of both debate and advocacy. The education related targets commit to an official gender equality curriculum as part of pre-service teacher training from 2025 and boosting women's enrolment in the vocational education system

91 This point was reiterated by a local civil society group, the Institute for Studies of Society, Economy and the Environment (iSEE) through its pre-session statement for Viet Nam's UPR. See Institute for Studies of Society, Economy and Environment (iSEE). 2019. *Pre-session 32 Statement: Civil Society and Other Submissions for Viet Nam Universal Periodic Review*. Accessed 23 September 2020. <https://www.upr-info.org/en/review/Viet-Nam/Session-32---January-2019/Civil-society-and-other-submissions>



(40 per cent of new enrolments by 2030). Information and communications targets are ambitious, with 100 per cent of media platforms and localities publishing regular gender equality content. There is one target specific to ethnic minority girls and boys to reach universal primary education, and 90 per cent to complete lower secondary education by 2030. This is the sole target where a particular social group is referenced, and so support for inclusion will be important to elaborate within the NSGE monitoring framework. The NSGE is not intended to restate objectives that are covered by other laws and decrees, such as land title share and reductions in the gender wage gap. However, some key issues not covered in the NSGE include the environment, addressing adverse gender norms, provision of child and elder care services, the digital gender gap, LGBTI equality priorities, and STEM.

### 3.3 INSTITUTIONAL FRAMEWORK



**An extensive state structure.** Viet Nam’s national machinery for gender equality (i.e institutional structure) is tiered and complex, comprising a combination of state-based and socio-political entities. At the central level, the state agencies include the peak legislative body (i.e. the National Assembly), government management agencies, an inter-ministerial coordination mechanism, as well as the mass Party organisation for women (see Figure 2). At the sub-national level, this structure consists of the Department of Labour-Invalids and Social Affairs, Department of Culture, Sports and Tourism, Provincial Women’s Union, Provincial Committee for the Advancement of Women.

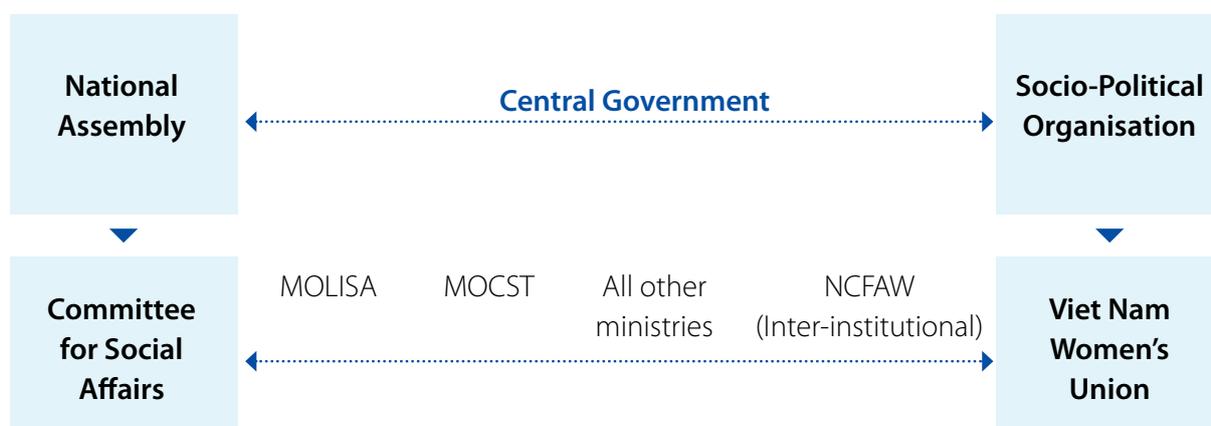


Photo: UN Women/Bui Duc Viet

A similar structure is maintained at the district and commune levels. While the framework ensures that responsibility for gender equality is distributed across several technical and policy-making agencies, this has led to an overlap in directives and accountabilities. Moreover, the framework still encourages the view that gender equality is synonymous with women’s issues and not of relevance to men, or to economic and social development, generally. Note in Figure 2 below that the Ministry of Culture, Sports and Tourism (MOCST) has been included owing to its mandate to respond to domestic violence and the realm of the family, issues with multiple gender equality dimensions.



FIGURE 2: VIET NAM'S NATIONAL INSTITUTIONAL STRUCTURE FOR GENDER EQUALITY, AT THE CENTRAL LEVEL



**The Parliamentary Committee for Social Affairs (PCSA).** The National Assembly's Parliamentary Committee for Social Affairs (PCSA) is responsible for the legislation of gender equality and women's affairs. It is tasked with examining proposed and draft laws to ensure that gender issues are incorporated into normative documents. The *Gender Equality Law* (2006) emphasizes the importance of mainstreaming gender issues in legal normative documents, and the PCSA has the frontline or 'gatekeeper' role in the implementation of this obligation into law making. In its 10-year report (2017), the PCSA noted that of 193 legal documents, it had verified the inclusion of gender issues and content in 68 laws, 3 ordinances and 5 resolutions. It highlighted that the gender mainstreaming reports for revisions to the Law on Marriage and Family 2014 and the Civil Code 2015 were of a high quality.<sup>92</sup>

A group of gender experts<sup>93</sup> has been established by the PCSA to give advice on gender mainstreaming within the legal framework. The government, through MOLISA as the state management agency for the *Gender Equality Law*, is obliged to report annually on the implementation of gender equality objectives and the achievement of targets specified in the *National Strategy on Gender Equality* to the National Assembly. The PCSA is authorised to verify the Government's reports.

Since the enactment of the *Law on the Promulgation of Legal Normative Documents* (2015), the scope of the PCSA's gender equality review has expanded. Proposed laws are now required to produce a gender analysis as part of the drafting process. This requirement is invaluable for tabling the gender implications of different laws, especially those typically claimed to be 'gender-neutral'. However, a recent MOLISA review noted that the legal departments of ministries only have a limited capacity to analyse gender issues. This must be resource-intensive

92 Ministry of Labour-Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of implementing the Law on Gender Equality*. Hanoi: Hong Duc Publishing House.

93 The group includes gender advisers and researchers from government agencies, NGOs and independent experts.

to be done well, consequently there is now an operational default to analyse only those laws directly related to gender equality.<sup>94</sup>

**Ministry of Labour-Invalids and Social Affairs (MOLISA).** In 2008, the Department of Gender Equality (GED) under MOLISA was established as the state management agency for gender equality, nationwide. GED is responsible for the development of laws, policies and mechanisms for the promotion of gender equality. It provides policy and technical advice to the government, and it performs an ‘inspection’ of the implementation of gender equality commitments, including gender mainstreaming within the drafting of legal documents.<sup>95</sup> The GED leads the coordination, with other line ministries, for the implementation of the *Gender Equality Law* and the *National Strategy on Gender Equality (NSGE) 2011-2020 and 2021-2030* at the national level, and the Beijing Platform for Action and Declaration. The Department of Legislation under MOLISA is responsible for Viet Nam’s reporting obligations under CEDAW.

GED/MOLISA reports annually to the National Assembly in Viet Nam on the implementation of the gender equality targets under the NSGE, the primary accountability process in Viet Nam for the Government’s progress on gender equality. In 2015, a Joint Circular by MOLISA and the Ministry of Home Affairs (MOH) was issued on *Guiding the Functions, Duties, Rights and Structure of the Department of Labour-Invalids and Social Affairs (DOLISA)*. Accordingly, by the end of 2018, the gender equality division has been merged into other divisions of DOLISA.

**National Committee for the Advancement of Women (NCFAW).** The National Committee

for the Advancement of Women (NCFAW) is the inter-sectoral government body that functions to advise the Prime Minister on issues relating to advancement of women within the country. Established after the Beijing Conference on Women in 1995, NCFAW is tasked with coordinating undertakings between ministries and local governments to address women’s issues.<sup>96</sup> NCFAW has 21 members, including Deputy Ministers from the 12 Ministries, and eight ministerial-level agencies such as the Central Personnel Committee, the Committee for Ethnic Minority Affairs (CEMA), the Prime Minister’s Office, Viet Nam General Confederation of Labour, the Fatherland Front, the Farmer’s Union, the Viet Nam Women’s Union and the Youth Union.<sup>97</sup> NCFAW is chaired by the MOLISA Minister, and has two Vice-Chairs, occupied by the President of Viet Nam’s Women Union and the Vice Minister of MOLISA. Nevertheless, some GED personnel also work for NCFAW Secretariat.

Committees for the Advancement of Women (CAFW) have been established horizontally, across all ministries and sectors, and they have been formed in each of the 63 provinces/cities at provincial, district and commune level. At the ministerial level, a Vice Minister is the chairperson of the CAFW. At the local government level, in general, the CAFW is presided over by the Chair or Vice Chair of the People’s Committees at the respective level. The main purpose of these CAFWs is to provide advice to Ministries and People’s Committees for the implementation of activities on the advancement of women. CAFW, in the case of most ministries, works on both the advancement of women and gender equality. At provincial level, the CAFW can collaborate with the Provincial Department of Labour-Invalids and Social Affairs to implement gender equality activities.

94 Ministry of Labour-Invalids and Social Affairs and UNFPA. 2020. op.cit.

95 See the details in MOLISA’s Decision No 1246/QĐ-LĐTĐXH dated 9th August 2017, Regulations on Functions, Duties and Organizational Structure of the Gender Equality Department.

96 As prescribed in *Decision No. 114/2008/QĐ-TTg*

97 *Decision No 114/2008/QĐ-TTg* dated 22<sup>nd</sup> August 2008 by Prime Minister

**Ministry of Culture, Sport and Tourism (MOCST).** The Ministry of Culture, Sports and Tourism (MOCST) is responsible for the state management of culture, family, sports and tourism nationwide, and state management of related public services. In terms of family issues, the Department of Family under MOCST is required to provide guidance on the implementation of Viet Nam's *Family Development Strategy to 2020 with a vision to 2030* and the *Law on Domestic Violence Prevention and Control (2007)*. Concerning, family and domestic violence, MOCST is specifically tasked to build a database on domestic violence prevention and control, and to build and guide the social reproduction of the model of a 'happy and stable family'.<sup>98</sup> However, here there is an overlap with MOLISA's responsibility for the national action plan on GBV. In view of the fact, that domestic violence accounts for the overwhelming majority of cases of violence experienced by women, this division creates conceptual confusion. In practice, it also fragments the budgets, personnel and services necessary for a comprehensive national response to VAW in the country.

**Viet Nam Women's Union (VWU).** The Viet Nam Women's Union (VWU) is a national socio-political, mass organization within the political system, with the authority to represent the rights and interests of all Vietnamese women. In its 91<sup>st</sup> year, its predecessor organization, the Women's Union for Emancipation, was established in 1930 to rally women to fight for independence from French colonisation. Having an estimated 15 million members<sup>99</sup>, the VWU has a directive to advance women's rights, mobilize society

for the development of women, and advance gender equality. Three focus 'tasks' for the VWU over the period 2017-2022 are: (i) Advocate for and support women's comprehensive development, and build 'happy families'<sup>100</sup>; (ii) Mobilize and support women to create start-ups (enterprises), develop the economy and protect the environment; and (iii) Build a strong association, participate in Party and State building, as well as monitor and provide independent policy feedback.<sup>101</sup> To implement these objectives, over this period the VWU has conducted a number of national 'emulation'<sup>102</sup> campaigns and movements. Key ones include the following: 'Women study actively, work creatively and build happy families'; 'Women study and practice 'qualities such as 'Self-confidence, Self-esteem; Faithfulness and Resourcefulness'; and 'Building families of Five Withouts and Three Cleans'.<sup>103</sup> Through implementing these programs, the VWU reports that it has made contributions to improving women's lives. During the period 2017-2018, an estimated 110,000 households or more have escaped from poverty with the support of the VWU.<sup>104</sup> The VWU mobilizes women's contribution towards other programs such as the *National Target Programs (NTPs) for New Rural Development and Sustainable Poverty Reduction*. However, there is ongoing debate with respect to the approach and objectives employed by the VWU which informs their

98 Article 2 (15 dd) of Decree No. 79/2017/ND-CP on Regulations on Functions, Duties and Organizational Structure of MOCST.

99 Viet Nam Women's Union. 2013. *Report on Ensuring and Promoting Women's Rights (As inputs to the consolidated document of the Office of the United Nations High Commissioner for Human Rights to serve the Universal Periodic Review)*. Accessed 20 January 2021.

100 The concept of 'happy family' is a core tenet of the VWU's aspirations and work with women, defined in the *Family Development Strategy to 2020 and Vision to 2030 (2012)*, and *Law on Marriage and Family (2014)*. However, it is critiqued as reinforcing traditional gender norms that essentialise women as the primary homemaker, and responsible for household and social harmony.

101 <http://hoilhpn.org.vn/phong-trao-thi-ua>

102 An 'emulation' movement means calling for people to follow certain role models and standards.

103 The 'five withouts' are: no poverty; no people breaking the law and social evils; no gender inequality; no population policy violation; and no malnourished children. The 'three cleans' are: clean house; clean alleys; and clean kitchen. Viet Nam Women's Union (VWU). 2019. *Mid-Term Assessment of Implementation of Resolution of the 12th National-wide Women's Congress*.

104 Ibid.

perspective on gender equality and women's empowerment. This is discussed further below.

**Achievements.** The consolidation of the state institutional structure for promoting gender equality has brought important changes over the past ten years. One of the recognized achievements is the formulation of a fundamental legal and policy framework on gender equality through efforts to mainstream gender issues in legal normative documents in key spheres. Though the depth of the gender mainstreaming is still in question, over the last 5 years, the process of legal normative document development has increased the gender focus and gender inclusion. For example, gender-relevant content was integrated in a number of laws such as the *Law on Promulgation of Legal Normative Documents (2015)*, *Criminal Code (2015)*, *Civil Code (2015)*, *Law on Elections of National Assembly Deputies and People's Council Members (2015)*, *Law on Vocational Education (2019)*, *State Budget Law (2015)*, *Labor Code (2019)*, and *Law on Public Employees (2019)*.

The formal organizational structure for gender equality, from the central to local levels, sets the foundation for implementing the *Gender Equality Law* and national gender equality targets. All ministries, line ministry agencies, ministerial-level agencies and local governments developed and implemented action plans on gender equality and the advancement of women. Many new activities were initiated, including communication campaigns, the development of gender equality-related models and various capacity building activities for staff working on gender equality and the advancement of women. In addition, the government, specifically MOLISA, conducted regular policy dialogue on gender equality with international organizations and donors, as well as CSOs – raising the public profile of gender issues. These forums held

with the international and non-governmental organizations, on sensitive issues like GBV and workplace conditions for women, are important, and also enable an interactive exchange on alternative approaches for promoting gender equality.

**Challenges.** Despite the extensive government structure and policy framework for gender equality, from the national to the local levels, there are numerous challenges. Foremost, is that the system is overwrought by inadequate staffing, technical capacity, and financing. In the Vietnamese system, officials with gender equality responsibilities are not specialist personnel, hence training and an understanding of substantive gender equality issues is limited.<sup>105</sup> Human resources devoted to gender equality affairs in ministries, sectors and localities have a high turnover, and mainly work on a part-time basis.<sup>106</sup> A MOLISA co-commissioned review of the implementation of the *Gender Equality Law* noted that provinces also report challenges arising from gaps in staffing, with *'staff assigned to work on gender equality being limited... only work part-time and balance gender work with other responsibilities; thus, there is low enthusiasm for gender equality work.'*<sup>107</sup>

The other systemic challenge is the fragmentation and duplication of the directive to address violence against women and girls, namely the Family Department of MOCST and the Gender Equality Department of MOLISA. As mentioned earlier, MOLISA has overall responsibility for implementation of the *Gender Equality Law* including gender equality within the family, where most violence against women in Viet Nam occurs. The Family Department under MOCST is the

105 UNFPA & MOLISA (2020): *Review of 10 Years Implementing the Law on Gender Equality*. Op cit.

106 Government's Report on the implementation of national gender equality objectives in 2018 and the first six months of 2019, Hanoi, 10/2019..

107 UNFPA & MOLISA (2020). Op cit. p.54.

state management agency for the *Law on the Prevention and Control of Domestic Violence*.<sup>108</sup> Both agencies also have roles related to the implementation of sanctions for the violation of gender equality provisions. MOLISA has the authority to examine, inspect and handle violations of gender equality (Article 26(6), *Gender Equality Law*) while MOCST is tasked with the inspection and enforcement of the *Law on Domestic Violence Prevention and Control* (Article 36(5)). This had led to a situation whereby the two agencies are implementing different programs and projects on domestic violence and gender-based violence. MOCST has led the implementation of the *National Programme of Action against Domestic Violence to 2020*, while MOLISA is the coordinating agency for the *National Scheme on Prevention and Response to Gender based Violence for the 2016-2020 and vision to 2030*.<sup>109</sup> The overlap in the functions and tasks of the agencies creates fragmentation and duplication between programmes and projects which inevitably leads to less effective, connected interventions for GBV survivors.

The review of 10 years of the *Gender Equality Law* implementation shows that ministry-level Committees for the Advancement of Women have acted as gender focal points for coordinating gender equality activities within the agency. However, the role is often performed by the Ministry's human resources department, rather than a technical department with skill in mainstreaming gender in their respective areas of work. There is also the perception that gender equality is primarily the task of CFAW and the VWU. This undermines the identification of gender issues as relevant to the directives of all sectoral and management agencies. Moreover, it has also resulted in narrowing the concept of

gender equality to that of 'women's affairs'. Lastly, it excludes a focus on inequalities that disadvantage men, and the integral involvement of the men and boys for gender inequalities to be addressed and norms reset.<sup>110</sup>

Regarding VWU, Viet Nam's mass organization for women, their mandate and approaches have attracted debate and critique. VWU's programs have achieved important results, especially in terms of improved income and household economic livelihoods programs (in line with the 1<sup>st</sup> Task of the VWU, to *Mobilize and support women to create start-ups, develop the economy and protect the environment*). Far more controversial, is whether the movements and emulation campaigns (the 2<sup>nd</sup> Task of VWU - *Advocate and support women's comprehensive development and build happy families*) have actually empowered women. The contention is that these campaigns merely reinforce the traditional, home-bound reproductive roles of women, for example the *Five Withouts and Three Cleans Program*. In the cultural context of Viet Nam whereby cultural mores define women's principal role as 'home maker' and wherein family breakdown is frequently attributed to the woman, such campaigns entrench restrictive, and at times punitive, gender norms. As one research paper notes, 'by essentialising the mothering and wifely duties, women are captive to oppressive norms and (this) undermines their credibility as competent workers and leaders at work'.<sup>111</sup>

### Recommendations.

Revise the legal normative documents including the *Gender Equality Law* and the *Law on Domestic Violence Prevention and Control* to ensure that there are clear-cut, delineated responsibilities between MOLISA and MOCST

108 Article 26 and Article 35, *Gender Equality Law*; Article 35, *Law on Domestic Violence Prevention and Control*.

109 Prime Minister's Decision No 1464/QĐ-TTg (22 July 2016); Prime Minister's Decision 215/QĐ-TTg (6 February 2014).

110 MOLISA and UNFPA. 2020.op.cit.

111 Hoang, LA. 2020. 'The Vietnam Women's Union and the Contradictions of a Socialist Gender Regime'. *Asian Studies Review* 44(2): 309

regarding gender-based violence. It is timely to review the directives and coordination of the agencies working towards gender equality in order to address the question of fragmentation in the response. The 2019 *National Study on Violence against Women* recommends that there should be a single state management agency on gender equality to lead the coordination of work on the prevention of, and response to, gender-based violence, and violence against women and girls. It would be appropriate for such an agency to have a majority of women in leadership and decision-making roles.

The recommendation on renaming and strengthening the mandates of NCFAW and CFAW as the National Committee for Gender Equality and the Committee for Gender Equality<sup>112</sup>, as set out in the *Review of 10 Years Implementing the Law on Gender Equality*, is practical and can be implemented in the short term. While it represents a change in terminology, it assists in shifting an understanding of gender equality from ‘women solving and advancing women’s issues’ to an understanding that gender equality is about ‘resolving the disparities in opportunity and outcomes between men and women’. This would also be an opportunity to elucidate or redesign its functions on promoting gender equality, especially sectoral/technical departments, and agencies.

Establish a ministerial-level agency on gender equality,<sup>113</sup> as a long-term consideration. A ministerial-level agency on gender equality would have more capacity to engage with other ministries to conduct gender analysis regularly, and to mobilize resources and track expenditures for promoting gender equality and women’s empowerment.

112 It is noted that Ho Chi Minh City changed CFAW to Committee for Gender Equality and Advancement of Women.

113 MOLISA and UNFPA. 2020. *op cit*.

### 3.4 FINANCING FOR GENDER EQUALITY



National budgets are the definitive statement of a government’s social and economic priorities.<sup>114</sup> Since 2015, the 2030 Agenda for Sustainable Development and the Addis Ababa Agenda on Financing for Development has elevated the call for ‘transformative’ financing for development, including to close gender gaps. This builds upon provisions for the gender impact analysis of budgets enshrined in the 1995 Beijing Declaration and Platform for Action.<sup>115</sup> While Viet Nam is acknowledged as having a relatively comprehensive legislative and policy framework for gender equality, frameworks for fiscal allocation for gender equality are not commensurate. Indeed, inadequate financing has been identified as a major factor in the low achievement of national gender equality targets, and in closing gender gaps.

**Budget allocations for gender equality plans have not matched commitments.**

In 2011, for the first time, the Prime Minister announced a state financing plan to accompany the release of the National Program on Gender Equality (NPGE) for the period 2011-2015 which sat under the National Strategy on Gender Equality 2011-2020.<sup>116</sup> This decision approved a total budget of 955 billion VND, of which 326 billion VND was to be sourced from the central government, 464 billion VND was to come

114 Asian Development Bank (ADB) and UN Women. 2019. *Policy Brief – Gender Responsive Budgeting in Viet Nam: Gender Equality in Transport*. Hanoi: ADB and UN Women.

115 Specifically, paragraph 58(c) refers to a broad budget analysis encompassing, ‘structural adjustment, external debt, government / public investment, taxation and macro-economic stability measures.’ Cited in UN Women. 2016. *Gender Equality and Taxation in Vietnam: Issues and Recommendations*. Hanoi: UN Women.

116 Decision No. 1241/QĐ-TTg dated 22 July 2011



from local government sources, and 165 billion VND from international aid. However, a review found that the public funds mobilised were short of stated commitments, and in fact declined each year. By 2016, 125 billion VND had been allocated from the central budget, equivalent to 38 per cent of the pledge. A third (37 per cent) was directed to a small group of Ministries (Ministry of Labour-Invalids and Social Affairs, Ministry of Culture, Sports and Tourism, Ministry of Home Affairs, and the Committee for Ethnic Minority Affairs), and the remainder (63 per cent) was allocated to provinces/cities. Yet only seven provinces/cities, additional to the state budget received from the central level, they mobilised their own provincial resources (Hanoi, Quang Ninh, Thanh Hoa, Nghe An, Ha Tinh, Dong Nai, Ho Chi Minh City).<sup>117</sup> Over the same period, international donors provided 300 billion VND, more than twice that of government financing and amounting to 182 per cent of the financing target.

For 2016-2020, funding for the *National Program on Gender Equality 2016-2020* and the *Scheme on the Prevention and Response to Gender-Based Violence 2016-2020, with a vision to 2030* was channelled through a specific gender equality project under the National Target Program on Social Assistance System Development. The Prime Minister approved a budget of 180 billion VND.<sup>118</sup> However, it is reported that the government only spent 103 billion VND of state budget over the five years, representing 57 per cent of the original budget commitment (equivalent to USD 860,000 per annum).<sup>119</sup>

**Decline in ODA financing for gender equality.** While shortfalls in the state budget allocation cannot be isolated from

tightening fiscal conditions and the public debt management directive that was being prepared in 2016,<sup>120</sup> what is definitive is that overseas development assistance (ODA) – in other words, grant-based financing for gender equality - will not replicate levels seen over the past decade. Between 2007-2017, MOLISA reports<sup>121</sup> that a total of 31 international agencies (multilateral, bilateral and NGO) fund gender equality projects through ODA, with an estimated total value of USD 41 million. For the NSGE period of 2011 to 2020, MPI reported that 34 ODA-financed gender equality projects were implemented, with a combined value of USD 92.4 million (equivalent to 212 billion VND).<sup>122</sup> This equates to 128 per cent of the original financial plan.<sup>123</sup>

For the past decade, ODA has been the leading source of gender equality financing in Viet Nam. However, that high watermark has now passed. With Viet Nam becoming a lower middle-income country in 2010, many of the leading bilateral donors on gender equality such as Spain and Sweden now no longer provide ODA to Viet Nam, and others have reduced their contributions. The decline in ODA as a percentage of the total budget for development, including the proportion of the state budget, is presented in Table 3 below.

117 UN Women. 2021. *Financing Gender Equality in Viet Nam*. Hanoi: UN Women.

118 Decision No. 565/QĐ-TTg dated 25 April 2017.

119 UN Women. 2021. op.cit.

120 Law on Public Debt Management was passed in 2017.

121 MOLISA and UNFPA. 2020.op.cit.

122 1 USD = 23,000 VND

123 This figure is adopted from the Report No. 5228/BC-BKHDT dated 14 August 2020 by the Ministry of Planning and Investment to the Government regarding the ODA Programmes and projects related to GE 2011 - 2020

TABLE 3: CONTRIBUTION OF OVERSEAS DEVELOPMENT ASSISTANCE (ODA) AND CONCESSIONAL LOANS FOR DEVELOPMENT, 2016-2019 (USD MILLION)

Fiscal year	ODA	ODA as % of total investment for development (%)	ODA as % of state budget investment for development (%)	ODA as % of GDP (%)
2016	3,700	5.50	32.04	1.81
2017	3,690	5.02	28.83	1.55
2018	2,337	3.67	20.96	1.22
2019	1,655	1.86	11.13	0.63

Source: Calculation from statistics provided by MPI and MOF<sup>124</sup>

**Private sector initiatives underway but uncoun- ted.** The private sector in Viet Nam is funding initiatives that promote gender equality and the empowerment of women. However, their scale and value are not publicly reported. Furthermore, the role of the private sector in gender equality has not been given much attention in laws and policies, to date. Corporate firms such as Samsung and Viet Nam Electricity Corporation (EVN Viet Nam) have sponsored research and conferences on gender equality over the past five years. Several large firms (both domestic and multinational) have implemented workplace gender equality audits<sup>125</sup> and action plans to support gender equality in workplace conditions and to promote women’s corporate leadership. Some of these projects have been supported by UN Women - through their global Women’s Empowerment Principles (WEPs)<sup>126</sup> – by World Bank/International Finance Corporation (IFC), and through donor projects with investment arms such as

Australia’s *Investing in Women*.<sup>127</sup> Consolidated data on the value of pledged and in-house allocations for gender equality is not available. However, the decline in ODA makes corporate financing increasingly important in future years.

**Gender-responsive budgeting as beyond budgets for women.** Gender-responsive budgeting is defined as a tool to assess the allocation and impact of government revenue and expenditure policies on both women and men,<sup>128</sup> with the aim of reducing gender gaps and creating equal opportunity and benefit from public investment. It is a gender lens to be used across all budget areas and sectors, rather than funding discreet activities for women. However, the concept is nascent in Viet Nam. A 2015 study in Viet Nam noted that gender-responsive budgeting was commonly misunderstood as allocating funds for activities targeting women, such as for Committees for the Advancement of Women and gender equality training.<sup>129</sup> This was further reinforced

124 UN Women. 2021. op. cit.

125 Audit tools used in Viet Nam include ‘EDGE’ – Economic Dividends for Gender Equality – a global business certification <https://edge-cert.org> and GEARS.

126 As of May 2021, Viet Nam has 87 WEPs signatories <https://www.weps.org/companies>

127 <https://investinginwomen.asia/our-work/workplace-gender-equality/>

128 Seguino, S. March 2016. *Financing for Gender Equality in the Context of the Sustainable Development Goals. Discussion Paper No. 11*. New York: UN Women.

129 Universal Periodic Review (UPR) 32 VNM Main Report 2019.

in 2018, with the then Deputy Head of the National Assembly's Department of Finance and Budget was quoted at a workshop in 2018 as saying, "Gender-responsive budgeting is a novel matter in Viet Nam and is understood differently. A big challenge facing Viet Nam... is the lack of specific instructions in developing and implementing the budget, as well as staff specialised in gender issues and gender-responsive budgeting."<sup>130</sup> A framework for the full repertoire of macro-economic measures such as tax policy, public investment in physical and social infrastructure, and state bank levers is not yet in place.

A recent gender impact study on the National Target Programme on New Rural Development (NTP NRD) for the period of 2010-2020 noted a lack of gender-responsive budgeting in the NTP NRD, despite an official decision encouraging this in 2017.<sup>131</sup> The only budget line available for gender issues in the NTP NRD was the budget allocated to the Viet Nam Women's Union to implement the "Five Nos, Three Cleans" campaign and some budget allocated to the Provincial Committee for the Advancement of Women in the annual budget planning. At the district or commune level, financial resources for gender equality-related activities depended primarily on discretionary support that the local authorities gave to activities by the Viet Nam Women's Union.

The review of the NSGE for the period 2016-2020 noted limitations in information on budget sources, particularly the lack of budget breakdown and coding to track spending

130 Deputy Head Nguyen Minh Tan, speaking at the workshop on 'Gender-responsive budget - awareness and reality' organised by the Governance for Comprehensive Growth project in March 2018. MOLISA news source ([www.molisa.gov.vn/vi/Pages/chitiettin.aspx?IDNews=27675](http://www.molisa.gov.vn/vi/Pages/chitiettin.aspx?IDNews=27675)) cited in Universal Periodic Review (UPR) 32 VNM Main Report 2019.

131 Decision 12/2017/QĐ-TTg on 22<sup>nd</sup> April 2017 Promulgation on the principle, criteria and distribution norm for central budget and the counterpart fund ratio of local budget in implementing the National Target Programme on NRD for 2016-2020 period had no mention gender-responsive budgeting.

against NSGE targets and sectors to enable an appraisal of budget allocations.<sup>132</sup> A review report on the implementation of the NSGE 2011-2020 illuminated that there is 'no exact fiscal data' on ODA sources spent on gender equality.<sup>133</sup>

### **Efforts towards gender-responsive budgeting in Viet Nam.**

Over 2015-2020, several agencies have sought to introduce gender-responsive budgeting with the government. UN Women supported the Economic and Budgetary Department of the Ho Chi Minh City People's Council to develop Guidelines on Gender Responsive Budgeting to support budget allocation and monitoring within the People's Council. The Guidelines offer advice on how to apply gender equality principles in its budget decisions, in accordance with the State Budget Law (2015). Since 2019, UN Women has worked with the Ho Chi Minh Management Centre of Public Transport in collaboration with the Ho Chi Minh City Department of Labour - Invalids and Social Affairs on gender responsive budgeting for safe public transport for women and girls. While modest in scale, and limited to selected districts, a budget has been allocated for the upgrading of a number of city bus stops and stations with camera surveillance and lighting to enhance safety. It also supported reviewing the Code of Conduct for bus drivers and training on proactive measures for countering sexual harassment. Irish Aid and UN Women have also partnered with CEMA on the long-term *Socio-Economic Development Programme for the Most Disadvantaged Communes in the Ethnic Minority Areas* ('Programme 135 or P135'). This included online training for local officials on gender analysis, mainstreaming and budgeting within P135, and significantly,

132 Government of Viet Nam. 2020. op.cit

133 UN Women. 2021. *Financing Gender Equality in Viet Nam*, op. cit.

the production of related guidelines.<sup>134</sup> The analysis of gender gaps led to concerted action to increase the leadership of ethnic minority women in People's Committees at the local level, and the employment of women in local construction.<sup>135</sup>

**A gender lens on public investment in infrastructure is needed.** Public investment in physical and socio-economic infrastructure has the capacity to close gender gaps. The location and features of physical infrastructure such as bridges with pedestrian and public transport access can enhance women's mobility, since they are less likely to be the primary car or motorbike users. Indeed, a study noted that men account for over 70 per cent of people using motorbikes in Viet Nam.<sup>136</sup> Better lighting across the city can help to reduce sexual harassment and assault that take advantage of the cover of darkness, and this can help increase women's mobility, including their willingness to take night shifts, or evening classes. Likewise, investment in social infrastructure such as childcare centres, pre-schools and primary schools near to business or industrial zones supports parents who need to drop off and collect their children around working hours. With women performing the greater share of childcare, this primarily enables women to enhance their participation and conditions in the workplace. Public investment in infrastructure with a gender lens also has the multiplier effect of supporting growth and productivity.

134 CEMA, Irish-Aid, & UN-Women. (2019). *Guidelines for the Promotion and Implementation of Gender Responsive Budgeting in the Socio-Economic Development Programme for the Most Disadvantaged Communes in Ethnic Minority and Mountainous Areas (Programme 135)*. Retrieved from Ha Noi <https://VietNam.un.org/sites/default/files/2019-08/RGB-P135-ENG-FINAL-COMPRESSED.pdf>

135 UN Women. 2021. *Financing Gender Equality in Viet Nam*, op. cit.

136 Clarke, M. 2011. *Building Capacity to Make Transport Work for Women and Men in Vietnam. East Asia Pacific Region Social Development Notes*. Washington DC: World Bank cited in Asian Development Bank (ADB) and UN Women. 2019. *Policy Brief – Gender Responsive Budgeting in Viet Nam: Gender Equality in Transport*. Hanoi: ADB and UN Women.

**Entry points for transformative financing for gender equality.** Gender-responsive budgeting is predicated on scrutiny of the state budget and macro-economic measures, with fiscal transparency facilitating more targeted financing strategies. The budgetary process in Viet Nam is more official and closed. The complexity of Viet Nam's taxation regime, and its plethora of eligibility criteria for tax incentives, also render it challenging to undertake the formative analysis needed for gender-responsive budgeting.<sup>137</sup> However, UN Women has highlighted that income and corporate tax concessions are less directly beneficial for women since women earn less and represent a minority of formally registered, large enterprises. Whereas women spend a higher proportion of their income on consumable items for the household, and so exemptions from the 5 per cent VAT for basic commodities such as food can have a balancing effect with respect to the gender impact.<sup>138</sup>

This means that an ex-post analysis of the budget and a gender statement on the budget impact may not be possible. However, ex-ante gender-responsive budgeting is feasible for Viet Nam, whereby gender needs are identified and costed using an appropriate methodology.<sup>139</sup> Importantly, there is currently no legal directive or guidance for the implementation of gender-responsive budgeting as a budgeting approach in Viet Nam. These two elements, capacity development and guidance for the implementation of gender-responsive

137 Universal Periodic Review (UPR) 32 VNM Main Report 2019.

138 UN Women. 2016. *Gender Equality and Taxation in Viet Nam: Issues and Recommendations*. Hanoi: UN Women.

139 Ex-post analysis of the budget considers the extent to which the budget as implemented has achieved its intended gender equality outcomes. Ex-ante analysis relates to the provision of information on gender needs and gender assessments of different policies in order to inform resource allocation decisions and the preparation of the government's budget proposal. UN Women. 2021. *Financing Gender Equality in Viet Nam*, op. cit.

budgeting, need to be in place, as well as a focus on advocacy and socialisation over the coming years.

The new NSGE for 2021-2030 and the revision of the Gender Equality Law offer entry points for the training of government officials to strengthen financing approaches, and options for introducing a legislative fiat for gender-responsive budgeting.<sup>140</sup> Over time, Viet Nam may consider gender-responsive budgeting initiatives that other countries in the Asia and the Pacific region have pursued. These include: institutionalising gender responsive budgeting through a Budget Call Circular; introducing a gender budget statement as part of the budget documents; and issuing a medium-term fiscal framework for gender budgeting, in support of the NSGE 2021-2030. The capacity development of officers to carry out these elements is crucial to the success of the process.

A first step underway is a preliminary gender analysis of the financial landscape and financing policies to serve as inputs toward legislation and implementation guidance on gender responsive budgeting. This is supported by UN Women and Australia as part of their support to the NSGE 2021-30, and is due in late 2021.

## 3.5 GENDER STATISTICS FRAMEWORK



**A new framework for gender statistics.** The Government of Viet Nam acknowledged the lack of sex-disaggregated statistics across all sectors as a key challenge to measuring and achieving progress towards gender equality.<sup>141</sup> In the past five years, it has undertaken several key initiatives to strengthen data collection and address gaps on gender equality. The first is the concerted efforts to produce a new, streamlined set of national gender indicators with reference to SDG reporting. The General Statistics Office (GSO), the mandate holder for official statistics under the Ministry of Planning and Investment (MPI), noted the mixed record of achievement under the previous framework – the National Gender Statistical Indicator System introduced in 2011. Of the 105 indicators in that framework, only 13 out of 15 had been completely collected and disaggregated by sex; 67 out of the 105 had been collected but not disaggregated; and 25 of 105 had no data at all.<sup>142</sup> This impeded the ability to track progress, including the capacity to measure achievement against the *NSGE 2011-2020*. MPI also identified a number of system-wide shortcomings: limitations in the use of data, where it exists but may be hard to access; limited sharing of data between sectors; and insufficient human resources working on gender statistics.<sup>143</sup>

141 Government of Viet Nam. 2019. *National Review Report on 25-Year Implementation of the Beijing Platform for Action*. Accessed 6 October 2020. <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/vietnam.pdf?la=en&vs=114>

142 General Statistics Office (GSO). 2017. *Gender Statistics in Vietnam 2016*. Hanoi: GSO.

143 MPI Circular No. 10/2019/TT-BKHDT dated 30 July 2019 cited in Government of Viet Nam. 2019. *National Review Report on 25-Year Implementation of the Beijing Platform for Action*. Accessed 6 October 2020. <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/vietnam.pdf?la=en&vs=114>

140 UN Women. 2021. *Financing Gender Equality in Viet Nam*, op. cit.



The SDGs, with its gender equality Goal 5 and numerous sex-disaggregated indicators, renewed the imperative for the collection of gender statistics for analysis. With support from the UN, GIZ, the World Bank and Australia, the GSO developed the Set of National Gender Development Statistical Indicators, endorsed in 2019. This new set of 78 indicators is organised across six domains: population and demographics; labour, employment and access to resources; governance and participation in public life and decision making; education; health and related services; and GBV and social safety. This framework will be important to integrating with the monitoring of the NSGE 2021-2030. In 2016, for the first time, the GSO produced a Gender Statistics Book drawing on data from periodic and specialised surveys conducted by the government. A second edition was published in 2018, and a third edition is due to be published in 2021.

### **Regular and specialised surveys**

**completed.** In terms of gender statistics, there have been key surveys undertaken by the GSO and technical partners in recent years in Viet Nam. In 2019, with UNFPA, Viet Nam released its Population and Housing Census which provided updates on issues such as the sex-ratio at birth (widening) and maternal mortality (reducing, on average). In 2020, the National Study on Violence Against Women was released, again with UNFPA. As compared with the 2010 version, this mixed-method study was government-led. Its scope included all forms and settings for violence against women, beyond the focus on domestic violence in the 2010 version. It also had an expanded age range from 15 to 64 as compared with 18-60 to understand the experience of violence for young and older women in Viet Nam. Viet Nam is one of the few countries that has participated in every round

of the joint government-UNICEF Multiple Indicator Cluster Survey (MICS).<sup>144</sup> MICS 6, which is currently in process, was intending to include the optional module on men, which would be a new and pertinent source of data in relation to children's development and gender roles in Viet Nam.<sup>145</sup> Lastly, following an announcement in March 2021, the World Bank and Australia are supporting the government to undertake a National Time Use Survey. Led by the GSO, the survey will include 6,000 men and women. It will be the first time that Viet Nam will have nationally representative and region-specific insights into how men and women divide their time between paid and unpaid labour dimensions. This will include paid work, housework, study, personal care, child and elderly care, and leisure activities.<sup>146</sup> In particular, it will quantify the extent of care work performed by men and women, and the data will have a broad application for planning and budgeting.<sup>147</sup>

144 [https://mics.unicef.org/news\\_entries/148/THE-MICS-PROGRAMME-WELCOMES-VIET-NAM-FOR-THE-SIXTH-TIME](https://mics.unicef.org/news_entries/148/THE-MICS-PROGRAMME-WELCOMES-VIET-NAM-FOR-THE-SIXTH-TIME)

145 The questionnaire for individual men aged 15 – 49 years includes the topics of: the man's background; fertility; mass media and ICT; attitudes towards domestic violence; victimisation; marriage; adult functioning; sexual behaviour; tobacco and alcohol use; and life satisfaction. Also see: <https://mics.unicef.org/tools>

146 <https://unece.org/statistics/video/time-use-surveys>

147 <https://www.worldbank.org/en/news/press-release/2021/03/26/vietnam-aud-740-000-grant-to-close-gender-data-gaps>

**Key data gaps remaining.** The following data gaps have been identified for Viet Nam, including through the course of CGEP research.

Domain	Data Gaps
<b>Overall</b>	Data routinely disaggregated by sex <u>and</u> age, disability, ethnicity or socio-economic status
<b>Demographic</b>	Updated female-headed household data, including by age (e.g.. household head over 60 years)
<b>Leadership</b>	Women in senior roles in public administration and sex-disaggregated data on workforce, by ministries Women's representation on political and sectoral committees
<b>Social</b>	Enrolment in early childhood education, by sex Detected cases of women & girls subjected to physical or sexual violence supported in a timely manner <sup>148</sup> Prevalence of sexual harassment and bullying in work and school settings Proportion of mobile phone subscribers, by sex Abortion, including sex-selective abortion, abortion of adolescents and those performed in private medical facilities Coverage of voluntary social insurance, by sex VET enrolment by course of study and job placement, by sex Number of trafficking victims, for sexual or labour exploitation, by sex Access to reproductive and sexual health services, by sex and age Number of pregnant women aged 15-25 living with HIV
<b>Economic</b>	Share of female managers in public administration and all levels of the private sector Land use rights certificate data for agricultural land and residential land, by sex, updated from 2014 VHLSS Access to sanitary services and clean water, by sex Access to the internet, by sex National time use data (underway) Traffic accident-related mortality, by age and by sex Internal migration, by sex Any data at all on domestic workers Access to agricultural extension services, by sex Number of researchers and technology development (R&D) workers, by sex
<b>Environmental</b>	Disaster-related fatalities, injuries and missing persons, by sex Proportion of the population living in urban slums, by sex and age, updated from 2002 Share of jobs in the green economy, by sex Data on schools with upgraded sanitation for menstrual hygiene management Sex-disaggregated data on access to clean water supply, and upgraded sanitation Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure; Average income of small-scale food producers, by sex and indigenous status (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure

148 Government of Viet Nam. 2020. *2020 National Report on the Implementation of the Sustainable Development Goals*. op.cit



## CHAPTER 4. EQUALITY IN HUMAN DEVELOPMENT

## 4.1 DEMOGRAPHICS



**Population policy reform.** Population policy in Viet Nam was first initiated in the North in the early 1960s with the introduction of a two-to-three child policy in 1964 which was then launched nationwide after reunification in 1975. During the 80s and 90s, after *Đổi Mới* (Reformation), the nation's population policy focused on birth control. The first decree on birth control was issued in 1988 to encourage families to have only two children, for women to delay childbearing until 22 years of age and to ensure 3-5 years' birth spacing between each child. Following that, the first *National Strategy on Population and Family Planning 1993-2000* was introduced which aimed to reduce the country's total fertility rate (TFR) to 2.9 by 2000.

The *2003 Population Ordinance* issued by the National Assembly, which is still in effect, is the highest-level legal document on population in Viet Nam. Through the ordinance, couples have the right to decide on the number of children, birth timing and spacing. The *National Strategy on Population 2001-2010* was launched with two objectives, including: (1) to decrease the TFR to the replacement level of 2.1 by 2005 nationally, and by 2010 in remote and poor areas; and (2) to improve the quality of life of the population in physical, intellectual, and spiritual terms. Subsequently, Article 10 of the *Population Ordinance* was amended in 2008 to recognise family planning as the responsibility of 'couples' who could decide on birth timing and spacing. However, the limit of two children was reinstated, with

exceptions determined by the Government.<sup>149</sup>

The latest *National Strategy for Population and Reproductive Health during 2011-2020* extended its coverage beyond family planning to also include reproductive health. It had 11 targets, aiming to: reduce the population growth rate to 1 per cent by 2015; improve child and maternal health; maintain low birth rates and improve access to reproductive care; reduce the abortion rate and eliminate unsafe abortion; reduce sexually transmitted infections and improve reproductive cancer treatment; improve adolescent and youth health; improve reproductive health among vulnerable groups such as migrants, people with HIV, ethnic minorities, gender-based violence survivors and the elderly; and to better integrate population factors in socioeconomic development.

### Current Situation

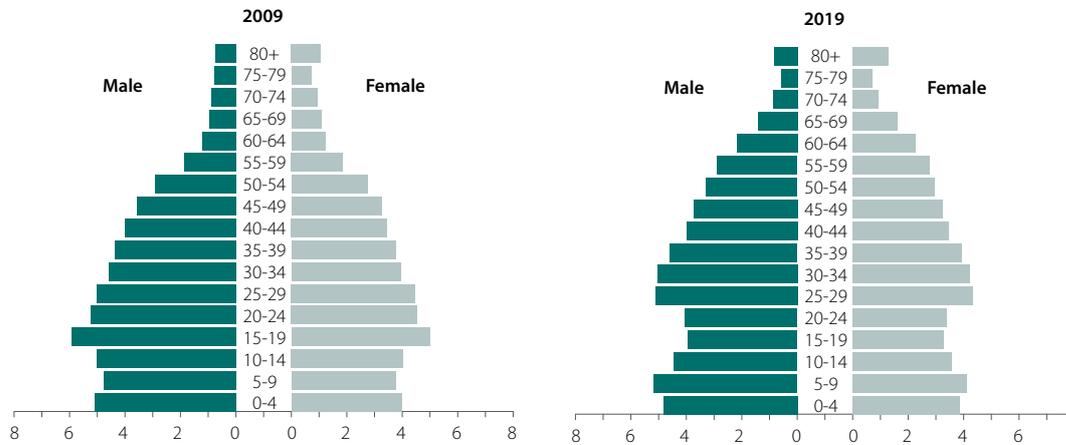
As of April 2019, the total population of Viet Nam constituted over 96,208,000 people. Men accounted for 47,881,000 people or 49.8 per cent, whereas women numbered 48,327,000 at 50.2 per cent. Viet Nam is ranked third in Southeast Asia and fifteenth worldwide, in terms of population size. The average annual population growth rate between 2009-2019 of Viet Nam was 1.14 per cent per year, slightly less than for the prior ten-year period.<sup>150</sup>

149 Pham, NB., Hill, PS. and Hall, W. 2013. 'The Evolution of Population Policy in Viet Nam'. *Asia-Pacific Population Journal* 27(2): 61-75.

150 UNFPA. 2019. *Results of the Population and Housing Census 2019*. Hanoi: UNFPA.



FIGURE 3: VIET NAM'S POPULATION PYRAMID, 2009 - 2019



Source: Population and Housing Census, 2019.

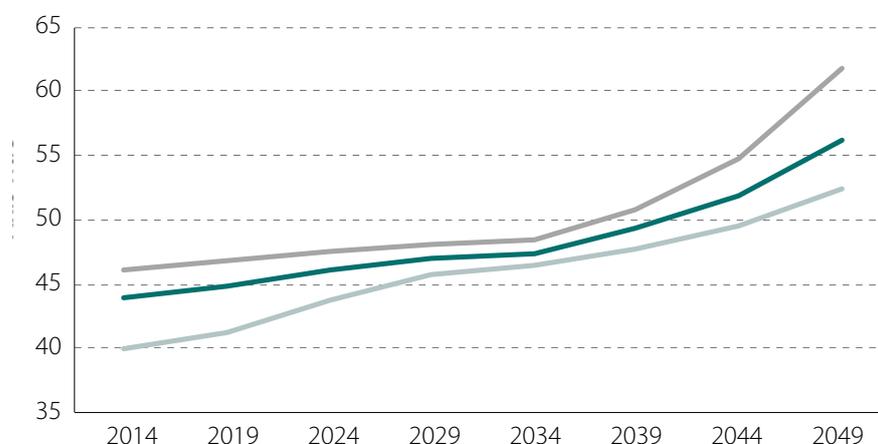
Comparing the population pyramids for 2019 and 2009 reveals a contraction in the young Vietnamese population (aged 10 to 24) to an increasingly ageing one over the last decade. For the last three decades, Viet Nam has benefited from a “golden population structure” whereby there was one dependent person for every two or more people working. This resulted in a dependency ratio of under 50 per cent.<sup>151</sup> Nonetheless, this demographic ‘window of opportunity’ has been projected to

end by 2044 when the national dependency ratio is predicted to reach 51.8 per cent. Change in the dependency ratio is projected to occur faster in rural areas with the out-migration of the working age population to urban areas (Figure 4).<sup>152</sup> This pattern will directly impact upon women whose care load will extend to both children and the elderly in the coming period.

151 UNFPA. 2020. “Population Matters.” Accessed October 2020. [https://vietnam.unfpa.org/en/node/15210#:~:text=old\)%20has%20increased.,Overview,to%20Viet%20Nam's%20population%20structure.&text=Because%20of%20this%2C%20Viet%20Nam,is%20only%20one%20dependent%20person.](https://vietnam.unfpa.org/en/node/15210#:~:text=old)%20has%20increased.,Overview,to%20Viet%20Nam's%20population%20structure.&text=Because%20of%20this%2C%20Viet%20Nam,is%20only%20one%20dependent%20person.)

152 GSO and UNFPA. 2016. *Viet Nam Population Projection 2014-2049*. Hanoi: Viet Nam News Agency Publishing House.

FIGURE 4: PROJECTED DEPENDENCY RATIO FOR VIET NAM, URBAN AND RURAL AREAS, 2014-2019



Source: GSO and UNFPA. 2016.

**Fertility Rate.** Since 2000, due to the concerted implementation of family planning policy, particularly the National Strategy on Population 2001-2010, the total fertility rate (TFR) in Viet Nam has been stable at the replacement level at 2 children per woman.<sup>153</sup> In 2019, the rate was recorded to be 2.09 children per woman, with rural areas having a slightly higher TFR than urban settings, at 2.26 and 1.83, respectively. However, the TFR in some cities and provinces is reported to be very low, such as 1.54 in Binh Duong, 1.53 in Tay Ninh, and 1.39 in Ho Chi Minh City.<sup>154</sup> There are no studies which examine low birth rates, however the high cost associated with raising children is said to be among the top reasons for the considerable decline in the fertility rate in some areas.<sup>155</sup> The fertility rate decline confirms the effectiveness of Government efforts in family planning and population control. The correlation between increased female literacy and fertility rate

decline has been highlighted in several settings, including in South Asia,<sup>156</sup> suggesting that improvements in Vietnamese women's educational attainments have also contributed to fertility decline. In Viet Nam, a tension has emerged between the promotion of the national birth rate and women's autonomy and advancement. In April 2020, Decision 588/QD-TTg was issued by the Prime Minister 2020 for 'Approving the Programme on adjusting the fertility rate suitably with subjects and regions until 2030'. The objective behind this decision is to recalibrate the birth rate profile where fertility is too high or below replacement level. In settings with a low fertility rate, young men and women are encouraged to marry before 30 years of age, and for women to have a second child before the age of 35.<sup>157</sup> A range of incentives are offered for those marrying and having children early, including priority in public school enrolment and subsidizing

153 UNFPA. 2019. *Results of the Population and Housing Census 2019*. op. cit.

154 Ibid.

155 Tuoi Tre News. 2017. *Why Women in Southern Viet Nam Are Having Fewer Children?* <https://tuoitrenews.vn/society/41922/why-women-in-southern-vietnam-are-having-fewer-children>

156 Sheikh, SM. and Loney T. 2018. 'Is Educating Girls the Best Investment for South Asia? Association Between Female Education and Fertility Choices in South Asia: A Systematic Review of the Literature.' *Front Public Health* 6:172. doi: 10.3389/fpubh.2018.00172

157 Vietnam Law and Legal Forum. 2020. *Youngsters encouraged to marry by 30 and have two children by 35*. <https://vietnamlawmagazine.vn/youngsters-encouraged-to-marry-by-30-and-have-two-children-by-35-27197.html>

housing costs. There is also a reference to piloting measures to increase the social and community contribution responsibility for those individuals who do not marry or marry late. With unpaid care work acknowledged as one of the major barriers to women's fully realized workforce participation and progression, the infrastructure for childcare and flexible workplace policies will be the key to ensuring women's foothold in the economy and that their place in public life does not regress.

### Sex Ratio at Birth (SRB)<sup>158</sup>

Imbalanced sex ratio at birth (SRB) is when more boys are born than normal ratio of 105 boys born for every 100 girls. In Vietnamese culture, with its patrilineal kinship and patrilocal heritage, son preference has long prevailed. However, since mid-2000, together with declining fertility rates and the availability of reproductive technologies, evidence shows this preference has driven a rapid rise in prenatal sex-selective intervention, in order to produce sons.<sup>159, 160</sup> Viet Nam has experienced an extremely imbalanced SRB, which increased rapidly from 105.6 in 2005 to 112.8 in 2015, a mere ten years later.<sup>161</sup> In fact, the 'velocity' of Viet Nam's skewed sex ratio trajectory has been described as one of the most significant that any country has experienced.<sup>162</sup> Recourse to ultrasound screening to identify the sex of

the foetus is commonplace, with the General Office for Population and Family Planning reporting that over 83 per cent of women learn of their child's sex during pregnancy.<sup>163</sup> This is despite the fact that ultrasound screening for the purpose of sex-identification for selection has been prohibited by the Government since 2003 – with *Population Ordinance 2003, Decree 104/2003/ND-CP*, and *Decree No. 176/2013/ND-CP*.<sup>164</sup>

According to various reports from UNFPA, the SRB in Viet Nam was recorded to be 112.2 in 2016, 112.1 in 2017, and peaked at 114.8 in 2018.<sup>165</sup> Census data reported that the SRB in 2019 was 111.5 male births per 100 female births (see Figure 5). Even though it shows that the SRB in Viet Nam has stabilised over the last decade, this figure is still high and is the third worst globally.<sup>166</sup> The SRB also varies greatly by location.

158 See the CGEP section on gender-based violence for a full analysis of gender-biased, sex selection in Viet Nam.

159 UNFPA. 2011. *Son Preference in Vietnam: Ancient Desires, Advancing Technologies: A qualitative research report to better understand the rapidly rising sex ratio at birth in Vietnam*. Hanoi: UNFPA.

160 UNFPA. 2019. *The Imbalanced Sex Ratio at Birth in Viet Nam - New Insights and Policy Recommendations*. Hanoi: UNFPA. UNFPA. 2019. *Viet Nam Country Profile: Global Programme to Prevent Son Preference and the Undervaluing of Girls: Improving the Sex Ratio at Birth in Selected Countries in Asia and the Caucasus*. Hanoi: UNFPA.

161 Tran, Ngoc. et al. 2017. 'Gender Imbalance in Vietnam: Problems and Solutions'. *Social & Behavioural Sciences*. doi: 10.15405/epsbs.2018.04.31

162 Den Boer, A. and Hudson, V. March 2017. 'Patrilineality, Son Preference, and Sex Selection in South Korea and Vietnam'. *Population and Development Review* 43(1): 119-147.

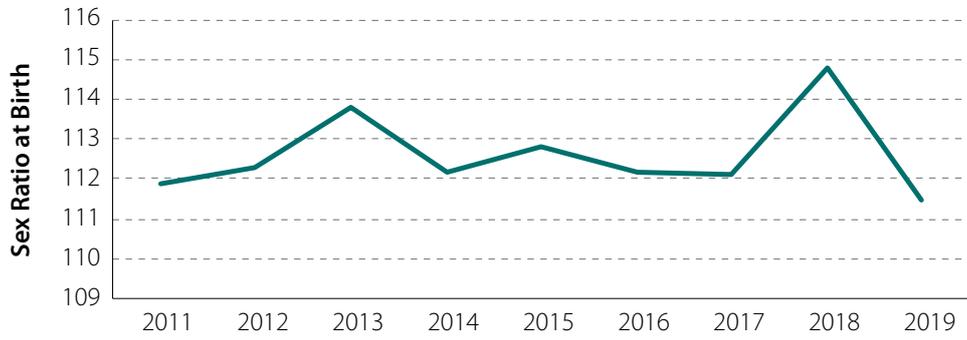
163 Van Son. 2017. "Alarming: Over 83% fetuses' sex were known before birth." *Dan Tri*. Accessed 7 September 2020. <https://dantri.com.vn/suc-khoe/bao-dong-hon-83-thai-nhi-bi-biet-truoc-gioi-tinh-20170907214351382.htm>

164 UNFPA. 2019. "Not Girls?" Accessed 11 February 2021. <https://vietnam.unfpa.org/en/news/not-girls#:~:text=104%2F2003%2FND%2DCP,for%20sex%20selection%20at%20birth>.

165 UNFPA. 2019. *The Imbalanced Sex Ratio at Birth in Viet Nam - New Insights and Policy Recommendations*. Hanoi: UNFPA. UNFPA. 2019. *Viet Nam Country Profile: Global Programme to Prevent Son Preference and the Undervaluing of Girls: Improving the Sex Ratio at Birth in Selected Countries in Asia and the Caucasus*. Hanoi: UNFPA;

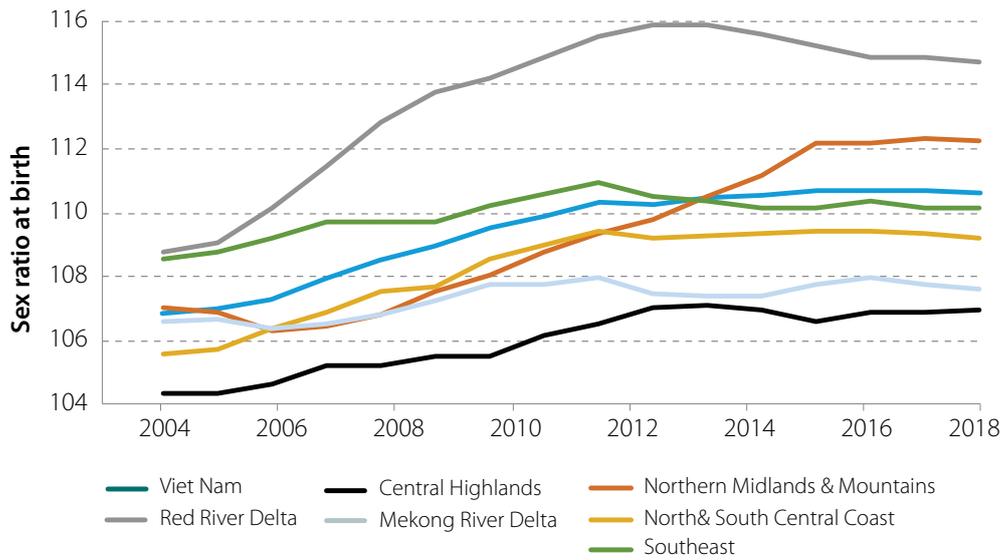
166 World Economic Forum (WEF). 2019. *Global Gender Gap Report 2020*. Geneva: WEF; UNFPA. 2020. *State of the World's Population*. New York: UNFPA.

FIGURE 5: SEX RATIO AT BIRTH (SRB) IN VIET NAM, 2011-2019



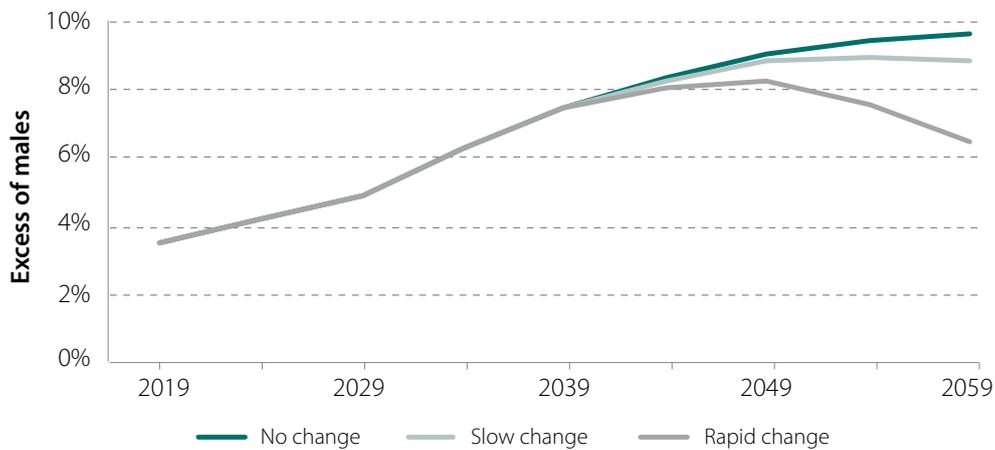
Source: UNFPA, 2019

FIGURE 6: SRB BY REGION IN VIET NAM, 2004-2018



Source: GSO, 2020.

FIGURE 7: PROJECTED EXCESS OF MALES AGED 20-39 YEARS ACCORDING TO FUTURE SRB CHANGES (%)



Regional disaggregation shows that the highest recorded SRB is in rural areas in the Red River Delta (115), and the lowest is in the Central Highlands (105). The provinces with the highest SRB (above 115) are clustered in the North, namely Bac Giang, Hung Yen, Hai Duong, Bac Ninh, Ha Noi and Son La.<sup>167</sup> Other factors, including higher educational levels, socio-economic status, and Kinh ethnicity have been found to coincide with the most highly skewed SRB.<sup>168</sup>

Regarding different ethnic groups, son preference and the increased imbalance in SRB is not unique to the Kinh people. 2019 Census data<sup>169</sup> found variation between different ethnic groups. Son preference is evident among Nung and Dao people who prefer having only sons, rather than even one daughter. Among the Muong and Tay communities, son preference is also prevalent, but data suggests there is some indifference

about having a daughter. For Thai people, parents strongly favour sons over daughters, and families without an older son have 4.5 times greater progression ratio than families with only daughters. On the other hand, mixed-gender composition of children has been reported within the Thai, Hoa, Khmer, Mong, and Gia Rai ethnic groups. Based on census data, Gia Rai parents express a preference for girls rather than boys to a ratio of 0.82, which can be related to matrilineal patterns in this population.<sup>170</sup>

According to the 2019 Census, there were 1.2 million more boys aged 0-19 years than girls. It is projected that the imbalance in the adult population in Viet Nam is unlikely to be ameliorated over the next few decades, as most of the future adults have already been born. According to Figure 7, if SRB stays permanently at 111, by 2059 the relative surplus of young men aged 20-39 years will have increased from 3.5 per cent in 2010 to almost 10 per cent. In another scenario, if the SRB changes rapidly within the next ten years,

<sup>170</sup> Ibid.

<sup>167</sup> General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Census 2019*. op. cit

<sup>168</sup> GSO. 2020. op.cit.

<sup>169</sup> Becquet, V. and Guilamoto, C. *The sex ratio at birth in light of the 2019 census*. (Forthcoming)

the excess of young male adults would still grow to 8 per cent until 2049 when it would then decline.<sup>171</sup>

The increased SRB will have a long-lasting impact on the demographic structure of Viet Nam. Excess male births will gradually translate into excess boys and excess male adults. One of the most discussed social consequences of SRB is the predicted 'marriage squeeze' due to a future excess of men, which in turn is predicted to heighten gender-based violence including sexual exploitation and human (bride) trafficking into Viet Nam.<sup>172</sup>

**Ageing.** The sharp reduction in the fertility rate, coupled with the reduced mortality and the rise in life expectancy at birth (from 75.6 to 76.3 years for women, and from 70.2 to 71 years for men between 2009–2019), has led to the growth of the ageing population in Viet Nam. In the space of ten years, the ageing index increased from 35.9 per cent of the population in 2009 to 48.8 per cent in 2019. Viet Nam's elderly population (aged 60 years and over) is predicted to double from 7 to 14 per cent, with the country becoming an 'aged' population by 2035. The pace of this demographic shift will have been faster than in other ASEAN countries.<sup>173</sup>

This trend will have gender-based implications. The rise in the proportion of the elderly will compound women's unpaid family care responsibilities, especially in households where older relatives have acute or complex

conditions, such as Alzheimer's, due to longer life expectancy. Without the recognition and redistribution of intra-housing care and domestic tasks, women's pre-COVID-19 barriers to socio-economic opportunities and civic participation will deteriorate. Furthermore, social protection programs and the public and private healthcare system must be strengthened to provide affordable services and alternatives to home-based aged care. Older women have been said to be more likely to live alone, engage in informal sector work, and suffer from chronic illness than their male counterparts. Moreover, women retire earlier but live longer than men making them more likely to be widowed with an insufficient pension.<sup>174</sup> The issue of violence and abuse against elderly women<sup>175</sup> has been raised in Viet Nam, and it requires further study in the future.

### Recommendations.

- Accelerate planning for increased provision of child and elder care services, including public and private options, in line with demographic projections.
- Promote communications campaigns for sharing of unpaid care work within families, especially to redistribute women's share.
- Ensure all women are supported to have access to comprehensive sexual and reproductive health services, to support their autonomy in fertility decisions.

171 UNFPA. 2020. "Population Matters." Accessed October 2020. [https://vietnam.unfpa.org/en/node/15210#:~:text=old\)%20has%20increased,Overview,to%20Viet%20Nam's%20population%20structure.&text=Because%20of%20this%20Viet%20Nam,is%20only%20one%20dependent%20person.](https://vietnam.unfpa.org/en/node/15210#:~:text=old)%20has%20increased,Overview,to%20Viet%20Nam's%20population%20structure.&text=Because%20of%20this%20Viet%20Nam,is%20only%20one%20dependent%20person.)

172 GSO. 2020. *The Population and Housing Census 2019- Sex imbalance at birth: Trends, Variations and Determinants*. op. cit.

173 World Bank. 2019. "Vietnam's population is ageing at a pace faster than any of its regional peers." Accessed 10 February 2021. <https://www.worldbank.org/en/news/press-release/2019/08/07/jica-and-world-bank-jointly-support-vietnam-to-meet-needs-of-aging-population>

174 UNFPA. 2016. *Rapid Population Ageing in Viet Nam: Challenges and Opportunities* - Factsheet. Hanoi: UNFPA.

175 Nghi, T. 10 September 2020. "The Elders are Lonely and Isolated." *Tuoi Tre Online*. <https://tuoitre.vn/nguoi-cao-tuoi-dang-le-loi-va-co-the-20200910080153229.htm>

## 4.2 HEALTH



The economic reforms (*Đổi Mới*) introduced in 1986 which transformed Viet Nam from a centrally planned economy to a socialist-oriented market did not merely lead to economic growth but also rapid social development and social mobility. The health of the population has improved significantly due to increased living standards, and the emergent quality and accessibility of health facilities and services. Moreover, the Government of Viet Nam has demonstrated its commitment to promoting gender equality in healthcare through the enactment and implementation of several national policies. For example, Article 17 of the *Gender Equality Law* (2006) explicitly provides for equality between women and men in participation and decision making related to health care. This has been reinforced through *The National Strategy on Gender Equality 2011-2020*, with the fourth objective dedicated to ensuring gender equality both in access to and benefitting from healthcare services. Furthermore, other policies, including the *Strategy for Protection, Care and Improvement of People's Health for the period 2011-2020 with a vision to 2030*, the *Strategy for Population and Reproductive Health period 2011-2020*, the *Safe Motherhood Programme 2003-2010*, and the ongoing *Family Planning Programme* have been enacted to ensure people's and especially women's access to health care services<sup>176</sup>.

Viet Nam was one of the few nations to meet the health-related Millennium Development Goals (MDGs) by 2015, and there has been remarkable improvements over the last decade. Average life expectancy at birth has risen steadily from 74.6 in 2008 to 75.3 in 2018, with women's life expectancy an estimated

eight years longer than that of men's.<sup>177</sup> At 79.4 years, Vietnamese women live longer than the average life expectancy for women, globally (74.3 years), and the gender gap is wider (5 years). Worldwide, the gender gap is generally attributed to the higher rates of behavioural risk factors among men (tobacco and alcohol use, interpersonal violence), and higher rates of road accidents, cardiovascular and other non-communicable chronic disease as a result. This is compounded by men's lower healthcare seeking across their life course. However, as the WHO cautions, longer life expectancy is not necessarily commensurate with healthy additional years of life for women.<sup>178</sup>

<sup>176</sup> Ministry of Health (MoH) and UNFPA. 2017. *Study on the Quality of Family Planning Services in Viet Nam*. Hanoi: MoH.

<sup>177</sup> World Bank. 2020. *Life expectancy at birth, total (years) – Vietnam*. Accessed 17 September 2020. <https://data.worldbank.org/indicator/SP.DYN.LE00.IN?locations=VN>

<sup>178</sup> World Health Organization (WHO). 2019. *World Health Statistics 2019: Monitoring Health for the SDGs*. Geneva: WHO.

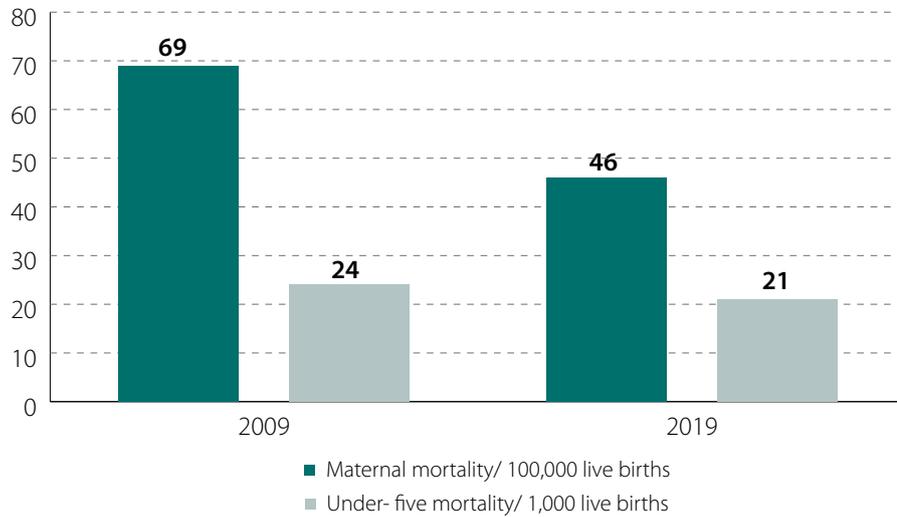


FIGURE 8: LIFE EXPECTANCY AT BIRTH, 2008-2018



Source: MOH data; World Bank, 2020

FIGURE 9: MATERNAL AND CHILD MORTALITY RATES, 2009-2019



Source: Population and Housing Census, 2019

Regardless of the significant national policy and program commitment to gender equality in health, gender inequalities persist. This is especially notable in the field of sexual and reproductive health (SRH), which is strongly influenced by gender norms.

**Maternal Health.** Viet Nam has made exceptional progress in improving maternal health. Over the period 1990 – 2015, the maternal mortality ratio (MMR) declined by 4.4 per cent annually, one of the highest global annual rates of change.<sup>179</sup> In terms of deaths averted, the MMR declined from 69 per 100,000 live births in 2009 to 46 in 2019. There was also a corresponding drop in the under-five mortality rate over the same period, from 24 per 1,000 live births in 2009 to 21 in 2019.

Despite such achievements, disparities in maternal and child health are prevalent. As of 2019, the under-five mortality rate in rural settings was more than double that in urban areas, at 25.1 and 12.3 per 1,000 live births, respectively. Moreover, the rate of under-five mortality for boys at 27.3 per 1,000 live births is significantly higher than that of girls, at 14.2 per 1,000 nationwide. UNICEF's *Multi-Cluster Indicator Survey 5 (MICS) for Viet Nam (2015)* conveys a slight but consistent favouring of boys in healthcare seeking for illness. MICS 5 data shows that boys 0 – 59 months had consistently higher rates of oral rehydration treatment than girls, with an episode of diarrhoea in the last two weeks; and this was mirrored in seeking treatment for children aged 0 – 59 months with Acute Respiratory Infection (ARI) symptoms.<sup>180</sup> In the regions, under-five mortality rates are highest in the

Central Highlands (35.3) and the Red River Delta (31.5).<sup>181</sup>

The disparities in maternal and child health status are highest in mountainous regions where a larger proportion of ethnic minority groups reside, and these are areas with economic disadvantages and limited access to quality healthcare facilities. In 2015, the CEDAW Committee recommended that Viet Nam enhance its efforts to, 'reduce maternal mortality in rural areas and among women from ethnic minorities by improving their access to basic prenatal and antenatal care, emergency obstetric care and the presence of skilled attendants at births.'<sup>182</sup> Unfortunately, the 2019 data on MMR, disaggregated by administrative region, is not available.

**Contraception.** The decline in the MMR can be attributed to many factors, one of which is the increasing availability and use of modern methods of contraception. In Viet Nam, over the last ten years, the prevalence of modern contraceptive use among all women has remained relatively high at over 60 per cent, whereas the corresponding rate among married women has achieved a slight increase from more than 44 to over 47 per cent.<sup>183</sup>

179 GBD 2015 Maternal Mortality Collaborators. 2016. "Global, regional, and national levels of maternal mortality, 1990–2015: a systematic analysis for the Global Burden of Disease Study 2015." *Lancet* 388: 1775–812

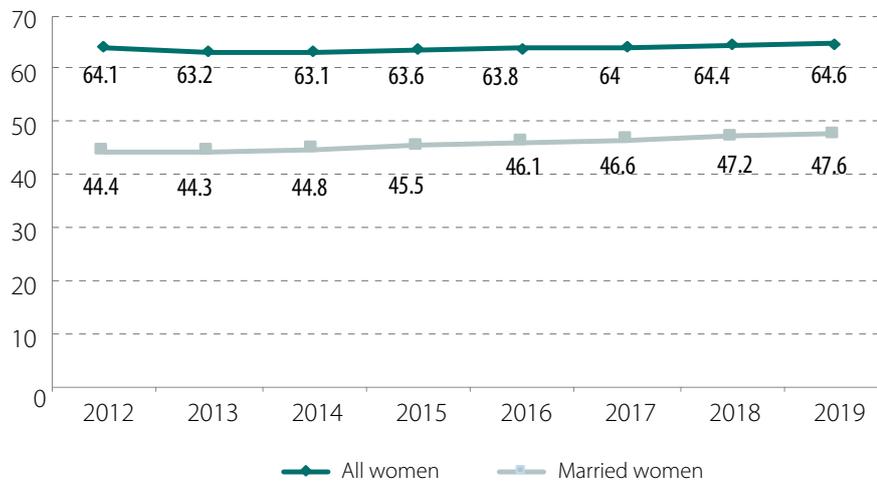
180 General Statistics Office and UNICEF Vietnam. 2015. *Viet Nam Multiple Indicator Cluster Survey 2014*. Hanoi: GSO.

181 Central Population and Housing Census Steering Committee. 2020. *Results: The Viet Nam Population and Housing Census of 00:00 Hours on 1 April 2019 (Census)*. Hanoi: Statistical Publishing House.

182 United Nations Committee on the Elimination of Discrimination against Women (CEDAW). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. CEDAW/C/VNM/CO/7-8.

183 Family Planning 2020. *Viet Nam – Commitment Maker Since 2016*. Accessed 16 September 2020. <https://www.familyplanning2020.org/viet-nam>

FIGURE 10: MODERN CONTRACEPTIVE PREVALENCE RATES, 2012-2019



Source: Family Planning Survey, 2020.

The issue with contraceptive use lies in the fact that women appear to be primarily responsible for contraception. The latest available data (Ministry of Health, 2020) indicates that the two most-utilized modern contraceptive methods are the intrauterine device (IUD) and oral pills - methods administered by women, as opposed to methods men can be responsible for. Specifically, the Ministry of Health reported that of a total of 2.76 million contraception acceptors, 1.23 million were using oral pills and 472,776 were using IUDs (equivalent to 61 per cent of usage). Regarding reproductive sterilization, female tubal ligation accounted for 10,702 cases, while male vasectomy amounted to a mere 231 cases.<sup>184</sup>

**Abortion.** In Viet Nam, in the first 22 weeks of pregnancy,<sup>185</sup> abortion is legal, available and affordable, upon request, at public hospitals and private health facilities across the country. According to the Ministry of Health, the abortion rate has dropped from

25 per 100 live births in 2011 to 13.8 per 100 live births in 2019.<sup>186</sup> Another source shows that in the period between 2002 and 2013, abortion rates per 1,000 women aged 15-44 years experienced a decline from 28.5 to 15.7 per 100 live births.<sup>187</sup> The official data on abortion is generally regarded as considerably under-estimated, with one study estimating that up to half of all abortions take place in private facilities which are not captured in the Ministry of Health reports.<sup>188</sup> Accurate data on the rate of abortion in Viet Nam has not been available since 2013 – an eight year gap in information. Therefore, the current extent of abortion is not known. However, experts believe that Viet Nam remains a country with a relatively high abortion rate, by global standards, this is in part corroborated by the skewed sex ratio at birth.<sup>189</sup>

184 Ministry of Health. 2020. *Report on the Implementation of the National Strategy for Gender Equality 2011 – 2020*. Hanoi: MoH.

185 Article 1 Clause 44 of the *Law on People's Health Protection* 1989 legalised women's choice over abortion. Section VII of Decision No. 4620/QĐ-BYT specified legal abortion up to 22 weeks of pregnancy.

186 Ministry of Health. 2020. *Report on the Implementation of the National Strategy for Gender Equality 2011 – 2020*. op. cit.

187 Vinh NT. and Tuan PC. 2015. "Factors Influencing Unintended Pregnancy and Abortion among Unmarried Youth in Vietnam: A Literature Review." *Tap Chi Y Te Cong Cong* 3(2): 3-16.

188 Ibid.

189 Correspondence with Guttmacher Institute. October 2020.

FIGURE 11: ABORTION RATES PER 1000 WOMEN AGED 15-44 YEARS, 2002-2013



Source: Vinh NT and Tuan PC. 2015.

Another issue of concern is adolescent abortion. Over the last ten years, according to Ministry of Health data, the adolescent fertility rate in Viet Nam reached a peak of 36.1 per 1,000 women aged 15-19 years in 2012, and then decreased to 29.2 in 2018. Other sources, such as MICS 5 (2015), estimate the adolescent birth rate to be higher, at 45 births per 1000 among 15-19 year olds. Strikingly, the adolescent birth rate for rural areas is 56 as compared with 24 in urban areas. The adolescent birth rate is exceedingly high at 107 for the Northern Midlands and 65 for the Central Highlands, areas with a concentration of ethnic minority groups. An estimated 6.3 per cent of women aged 15-19 were found to have already given birth.<sup>190</sup> Irrespective of the data source, Viet Nam's adolescent fertility rate is high compared to other Asian countries,<sup>191</sup> and a recent regional report by UNICEF noted that it is mostly occurring outside of marriage, driven by 'sexual activity combined with inadequate SRH knowledge, social norms regarding gender and sexuality and gender power dynamics including girls' limited

decision-making power'.<sup>192</sup>

The high adolescent birth rate is associated with adverse risks such as maternal mortality, stillbirth and neonatal mortality, early marriage, and adolescent abortion, among others. There continues to be a lack of official statistical data on adolescent abortion. However, it has been reported that the abortion rate of Vietnamese adolescents is in the top five for Southeast Asia, with approximately 4,600 cases in 2016.<sup>193</sup> Furthermore, estimates have suggested that adolescent abortion accounts for 20 per cent of the total abortion rate in Viet Nam.<sup>194</sup> One of the fundamental causes of the high adolescent birth and abortion rates in Viet Nam is rigid customary gender norms. These dictate that women and girls must appear sexually *innocent* and *inexperienced*, which is a serious deterrent to young girls accessing and negotiating contraception with their intimate partners.

190 General Statistics Office and UNICEF Viet Nam. 2015. *Viet Nam Multiple Indicator Cluster Survey 2014*. Hanoi: UNICEF.

191 Statista. *Adolescent Fertility Rate in Vietnam from 2006 to 2018*. Accessed 16 September 2020. <https://www.statista.com/statistics/743289/vietnam-adolescent-fertility-rate/>

192 UNICEF EAPRO. 2019. *Gender Counts: A quantitative assessment of gender inequality and its impacts on boys and girls in East and Southeast Asia*. Bangkok: UNICEF.

193 Nguyen, H. 2017. "Improving Quality of Sexual and Reproductive Health Education: Pilot intervention with lower secondary teachers and pedagogical students in some educational institutions in Vietnam." *HNUE Journal of Science, Chemical and Biological Science* 62(10): 176 – 184.

194 UNFPA. *Advocacy Brief: Adolescent Birth Rate in Viet Nam*. Accessed 16 September 2020. [https://vietnam.unfpa.org/sites/default/files/pub-pdf/Advocacy%20brief\\_Adolescent%20Birth%20Rate\\_Eng\\_0.pdf](https://vietnam.unfpa.org/sites/default/files/pub-pdf/Advocacy%20brief_Adolescent%20Birth%20Rate_Eng_0.pdf)

Meanwhile, boys are often excused from participating in contraceptive use.<sup>195</sup> Moreover, official Government policies on sexual and reproductive health (SRH) do not adequately cover the adolescent population, and there is no specific adolescent SRH strategy or program, resulting in a gap in early education and adequate services for this age group.

## Mental Health

Statistical, sex-disaggregated data on mental health in Viet Nam remains rare. Nonetheless, the few studies on the topic have revealed mental health to be a gendered issue that is emerging, concerning, and one that urgently requires attention. These studies have shown that there is a significant gender disparity, with women accounting for a higher incidence of all types of mental ill-health and disease than men, except for alcohol dependency.<sup>196</sup>

Markedly, there is evidence which reveals a direct association between a woman's mental wellbeing and her sexual and reproductive health. For example, a study in 2010 showed that among the pregnant women and mothers of infants studied, 29.9 per cent were diagnosed with a common perinatal mental disorder. Specifically, the most common mental health issue was depression, with the diagnosed rate for mothers in Viet Nam eclipsing the rate recorded for high income countries, namely 10 per cent of mothers during pregnancy and 13 per cent postpartum.<sup>197</sup>

Furthermore, suicidal behaviour and depression have become a common issue

among adolescents and youth in Viet Nam. Young women are almost twice as likely to have suicidal thoughts as compared with young men. Factors such as being female, young, urban and a migrant are correlated with suicide risk.<sup>198</sup> A study by UNICEF also found gender differences in the pressures perceived by young people, with girls reportedly feeling significant pressure from parents, whereas boys experienced greater pressure from peers and teachers.<sup>199</sup>

As gender difference in depression starts at puberty, it is crucial for Viet Nam to introduce comprehensive sex education at an early stage, so that young girls and boys are better equipped to handle psychological difficulties due to hormone changes in puberty, especially during menstruation in girls.<sup>200</sup>

## HIV/AIDS

There has been notable progress in HIV/AIDS prevention and treatment in Viet Nam. The number of new HIV infection cases annually has reduced from 16,000 in 2010 to 8,400 in 2019, and the number of AIDS-related deaths has decreased from 8,500<sup>201</sup> to 1,500 deaths over the same period. Currently, more than 211,000 people are living with HIV, of whom 142,000 (more than 62 per cent) are receiving anti-retroviral treatment (ARV) treatment which is available across all 63 provinces of the country.<sup>202</sup> Unfortunately sex disaggregated data is not available.

195 Khuat, TH. 2003. *Adolescent and Youth Reproductive Health in Vietnam: Status, Issues, Policies, and Programs*. Washington DC: Policy Project-USAID.

196 Collier, K. and Megan et al., 2020. "Explanatory variables for women's increased risk for mental health problems in Viet Nam." *Social Psychiatry and Psychiatric Epidemiology* 55: 359-369. <https://doi.org/10.1007/s00127-019-01761-3>

197 Fisher, J. et al., 2010. "Common perinatal mental disorders in Northern Viet Nam: community prevalence and health care use." *Bull World Health Organ* 88: 737-745.

198 UNICEF and ODI. 2017. *The nature of suicide amongst children and young people in selected provinces and cities in Viet Nam*. Hanoi: UNICEF.

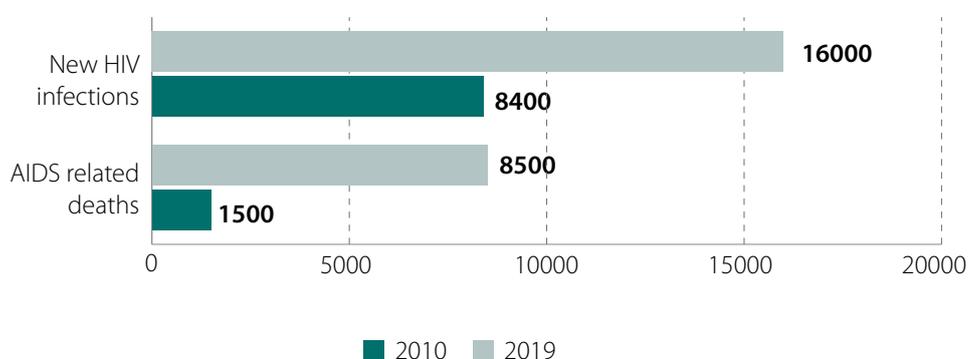
199 Overseas Development Institute and UNICEF. 2011. *Mental health and psychosocial wellbeing of children and young people in selected provinces and cities in Viet Nam*. Hanoi: UNICEF.

200 Nguyen, TKH. et al. Jul-Dec 2020. "Suicidal behaviors and depression among adolescents in Hanoi, Vietnam: A multilevel analysis of data from the Youth Risk Behavior Survey 2019." *Health Psychology Open* 1-11.

201 UNAIDS. 2020. "Viet Nam Country Fact Sheet". Accessed 17 September 2020. <https://www.unaids.org/en/regionscountries/countries/vietnam>

202 Ministry of Health. 2020. *Report on the Results of HIV/AIDS prevention and response in 2019 and focus in 2020*.

FIGURE 12: NUMBER OF HIV/AIDS RELATED CASES, 2010 AND 2019



Source: UNAIDS, 2020 & MOH, 2020.

The rate of HIV infections through unsafe sex has risen from 63.2 per cent in 2018 to 67.2 per cent in 2019.<sup>203</sup> Moreover, new HIV infections among young women aged 15–24 years were reported to be more or less equal to those among young men. While the majority of HIV infections among men are attributed to high-risk behaviour strongly influenced by harmful masculine norms, such as drug use and unsafe sex, the majority of women acquire HIV through their intimate partner, and not through high-risk behaviour. Gender power relations, hegemonic masculinity stereotypes, limited knowledge of SRH, and discrimination are the main reasons why women face difficulties in the negotiation of contraceptive use and access to proper HIV treatment.<sup>204</sup>

The *National Strategy to End AIDS by 2030* has emphasized the need to strengthen HIV counselling and testing for pregnant women, and to provide immediate ARV treatment to HIV positive pregnant women.<sup>205</sup> HIV

prevalence among men who have sex with men (MSM) has increased rapidly in recent years. Within a period of 5 years, the rate of HIV infection among MSM has jumped from 4% in 2013 to 12.2% in 2017.<sup>206</sup> Stigma and discrimination toward LGBTQI people in general and non-heterosexual relationships in particular mean that some of these men will be married or in heterosexual partnerships, due to societal or family pressure. This group of men are also reported to have low HIV/AIDS-related knowledge, and low utilisation of services.<sup>207</sup> For the married men engaging in sex with other men, this also leads to women acquiring HIV from their spouses or partners through unprotected sex.

203 Ibid.

204 Khuat, TH. et al. 2018. "The Dark Side of Female HIV Patient Care: Sexual and Reproductive Health Risks in Pre- and Post-clinical Treatments". *Journal of Clinical Medicine* 7(11): 402.

205 Hanoi Department of Health. 2020. *The President's approval of The National Strategy to Eliminate AIDS in 2030*. Accessed 17 September. [https://soyte.hanoi.gov.vn/phong-chong-hiv/aids/-/asset\\_publisher/4IVkx5Jltnbg/content/thu-tuong-chinh-phu-phe-duyet-chien-luoc-quoc-gia-cham-dut-dich-benh-aids-vao-nam-2030?\\_101\\_INSTANCE\\_4IVkx5Jltnbg\\_viewMode=view](https://soyte.hanoi.gov.vn/phong-chong-hiv/aids/-/asset_publisher/4IVkx5Jltnbg/content/thu-tuong-chinh-phu-phe-duyet-chien-luoc-quoc-gia-cham-dut-dich-benh-aids-vao-nam-2030?_101_INSTANCE_4IVkx5Jltnbg_viewMode=view)

206 MOH. 2020. Report on HIV/AIDS prevention program 2020

207 Nguyen, V.A.T.; Nguyen, N.Q.H.; Khuat, T. H.; Nguyen, P.T.T.; Do, T.T.; Vu, X.T.; Tran, K.; Ho, M.T.; Nguyen, H.K.T.; Vuong, T.T.; Vuong, Q.H. Righting the Misperceptions of Men Having Sex with Men: A Pre-Requisite for Protecting and Understanding Gender Incongruence in Vietnam. *J. Clin. Med.* 2019, 8, 105. <http://www.mdpi.com/2077-0383/8/1/105/pdf>

ISDS. 2018. Unpublish report on situation analysis of knowledge and attitudes of health workers on men who have sex with men and transgenders

**People with disabilities**

The 2019 Census indicates that the proportion of people aged 5 years and older with disabilities in Viet Nam is 3.7 per cent. Note that this differs from the estimate of 7 per cent among people aged 2 years and above, in the 2016 national survey on disability.<sup>208</sup> The disability rate among women is higher than that of men, and the highest prevalence of disability is concentrated among women in rural areas. Disaggregated data on disability performance measures within the population aged 18 and older shows that more women are living with disabilities, across all performance measures, than men (Figure 13).<sup>209</sup>

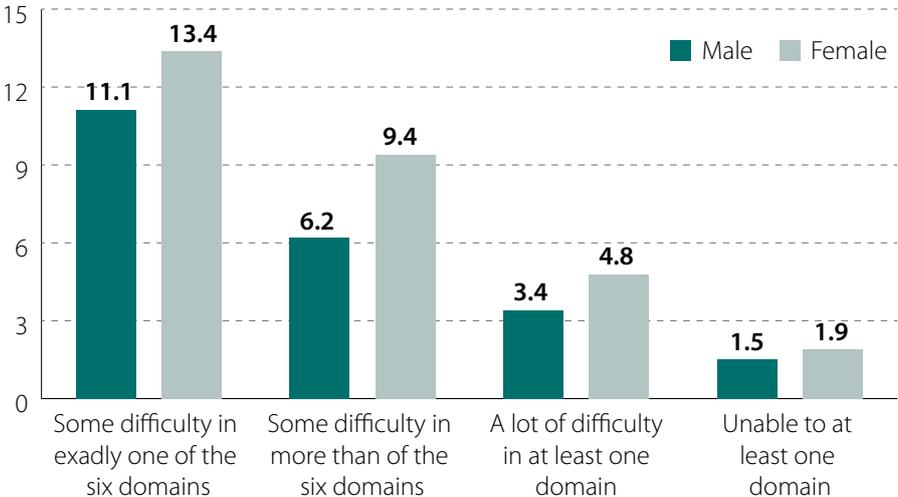
Despite this, the proportion of women with a mobility-related disability with access to supportive devices was found to be lower

than that of men. Furthermore, the percentage of men with disabilities who had accessed functional rehabilitation in the 12 months prior to the survey was 3.1 per cent, whereas the corresponding figure for women was only 1.8 per cent.<sup>210</sup> Both rates, however, are critically low, but the consistent gender gap requires further investigation because it may infer that there is insufficient suitable, effective support for women with disabilities. While official statistical data regarding the SRH of people with disabilities is extremely limited, findings from some small-scale studies have shown that people with disabilities have lower levels of SRH knowledge than their abled peers, due to a lack of access to reliable data and due to the stigma. In combination, this can increase the potential for unwanted pregnancies and sexually transmitted diseases.<sup>211</sup>

208 General Statistics Office. 2018. *National Survey on People with Disabilities 2016*. Hanoi: Statistical Publishing House.  
209 Ibid.

210 Ibid.  
211 Nguyen, TTA. et al. 2018. "Knowledge of Sexuality and Reproductive Health of People with Physical Disabilities in Vietnam." *Sexuality and Disability* 36: 3–18. doi: 10.1007/s11195-017-9515-7

**FIGURE 13: DISABILITY-RELATED FUNCTION MEASURES IN THE POPULATION AGED 18 AND OVER, BY SEX**



Source: National Survey on People with Disabilities, 2016

**Health of ethnic minority women.** Health inequities are prevalent along ethnic lines in Viet Nam. Data in 2015 showed that the overall average life expectancy of the 53 ethnic minorities was 72.1, one year younger than the national average at 73.2 at the time.<sup>212</sup> However, the difference appeared to have widened, with data in 2019 suggesting a gap in life expectancy of nearly three years - 70.7 years for ethnic minority people as compared to 73.6 years, nationally.<sup>213</sup> Among the different ethnic groups, data in 2019 showed that the life expectancy at birth for men and women of the Mang, Lu, and La Hu is extremely low at only around 60 years.<sup>214</sup>

At a national level, the rate of antenatal care, skilled birth attendance, and postnatal care has increased over time, reaching 90.7 per cent, 98.5 per cent, and 97.2 per cent by 2018, respectively.<sup>215</sup> Among ethnic minority groups, the rate of contraceptive use is reported to be lower, the stillbirth rate higher, and the use of antenatal care is less in comparison with the Kinh population.<sup>216</sup> In 2019, the rate of unattended birth delivery at home was 9.5 per cent overall among the ethnic minority population, with the highest rate occurring among the Mang ethnic group at 50.6 per cent, followed by the H'mong, Cong, and La Hu groups at 38.3 per cent, 37 per cent, and 36.5 per cent, respectively.<sup>217</sup> Home delivery is associated with an increased risk of neonatal mortality, therefore it is expected that the neonatal mortality rate is also higher among

ethnic minority groups. The 2019 Census data is, unfortunately, not disaggregated by ethnicity.

**Reproductive health of LGBTQI people.** In Viet Nam, same-sex sexual activity is not illegal. The 2014 *Marriage and Family Law* removed the ban on same-sex marriage but since then, Viet Nam has still not yet legally recognised same-sex marriage. In 2015, the National Assembly passed a new Civil Code recognising transgender people for the first time.<sup>218</sup> Gender-confirmation surgery is allowed for people who self-identify as intersex, and after the surgery, the person can register under their newly assigned sex. A transgender person who has not had surgery cannot change their name.

LGBTQI people continue to be challenged by a lack of LGBTQI-friendly facilities or services due to discrimination from caregivers at healthcare settings. Furthermore, medical practitioners have little knowledge and are ill-equipped to accommodate the specific needs of transgender and LGBTQI people. Gender-confirmation surgery, therefore, is extremely risky in Viet Nam. These are some of the barriers preventing this population group from attaining proper care and treatment. In some cases, it has led to transgender people self-injecting cheap and impure chemicals leading to serious harm and even fatalities. The situation is especially concerning in rural areas where support and services for LGBTQI people are extremely scarce.<sup>219</sup> Official data and in-depth understanding is urgently needed to improve healthcare for the progressively emerging LGBTQI community in the country.

212 Committee for Ethnic Minority Affairs, UNDP, and Irish Aids. 2016. *Ethnic Minorities and Sustainable Development Goals: Who Will Be Left Behind? – Results from analyses of the survey on the situation of 53 ethnic minorities in 2015*.

213 General Statistics Office. 2020. *Results of the Survey on the Socio-economic Situation of 53 Ethnic Minority Groups 2019*. Hanoi: GSO.

214 Ibid.

215 Ministry of Health (MoH). *Health Statistics Yearbook 2018*. Hanoi: MoH.

216 Mats Målqvist et al. 2013. "Ethnic Minority Health in Vietnam: A review exposing horizontal inequity". *Global Health Action*. 6(1).

217 General Statistics Office. 2020. *Survey on the Socio-economic Situation of 53 Ethnic Minority Groups in Vietnam 2019*.

218 Civil Code 2015, Article 37. <http://hethongphapluatvietnam.net/law-no-91-2015-gh13-dated-november-24-2015-the-civil-code.html>

219 UNDP and USAID. 2014. *Being LGBT in Asia: Viet Nam Country Report*. Bangkok: UNDP. Trang et. al. 2018. "Seeking Healthcare as a Transgender Woman in Contemporary Viet Nam: Access Barriers and the Situation of Hormone Use". *Regional Journal of Southeast Asia Studies* 3(2).

**Discrimination and disparities.** In Viet Nam, it is believed that it is women's *heavenly duty* (*thiên chức*) to give birth and take care of children. Even though in many ways men have a strong influence over decisions about birth, the utilization of birth control, abortion,<sup>220</sup> and family planning which is regarded as a woman's concern and responsibility instead of a social issue that requires adequate investment and comprehensive support from society. Moreover, the cultural taboos rooted in gender-biased norms which counter women's sexuality, pre-marital pregnancy, and abortion further hinder women in accessing information and services for SRH, and in many cases forces them to engage in risk taking practices.<sup>221</sup> Women living in poverty, those with a low level of education, from ethnic minority groups, adolescents and young girls, women and girls with disabilities, and members of the LGBTQI community have been identified as the most vulnerable due to intersectional disadvantage. This includes inaccessibility of information and services, as well as pervasive discrimination and socio-cultural stigma. In addition, official statistical data on health in Viet Nam is, for the most part, not disaggregated which creates difficulties for monitoring the disparities in the health and well-being of women, men and diverse genders.

### Recommendations.

Increase sex-disaggregated data collection within mental health care to enable more targeted and tailored responses based on the prevalence of conditions and ill-health.

Improve data collection on the maternal mortality ratio and access to SRH services

220 Hanh, NTT. 2009. "Reproductive paradoxes in Vietnam: Masculinity, Contraception, and Abortion in Vietnam" in *Reconceiving the Second Sex: Men, Masculinity, and Reproduction*: 160-178. Oxford, New York: Berghahn Books.

221 Belanger, D. and Khuat, TH. 1999. "Single Women's Experiences of Sexual Relationships and Abortion in Hanoi, Vietnam". *Reproductive Health Matters* 7(14): 71-82.

among ethnic minority women, women with disabilities and the LGBTQI community.

Address the gap in data on abortions performed in private clinics, in order to have a more accurate understanding of abortion incidence and better data sources for estimating gender-based sex-selection.

Undertake analysis of the factors in the increasing HIV infection rate among the MSM community.

## 4.3 EDUCATION



Having an educated population has been an enduring, high priority of the Government of Viet Nam. This was reaffirmed in the recent *Law on Education* (2019), whereby the Government committed to an open, modern education system with universal access and the building of a learned society. This is further underlined by the annual budget expenditure on education, which in 2017 was equivalent to 20 per cent of total budget expenditure, or around 5 per cent of GDP.<sup>222</sup> In GDP percentage terms, this allocation is high in global terms, including when compared to countries with a higher GDP than Viet Nam.

This policy commitment to education has yielded significant achievements in Viet Nam, without notable gender disparities. The overall literacy rate for the population aged 15 years and over is high at 95.8 per cent, with 97.0 per cent for men and 94.6 per cent for women, respectively.<sup>223</sup> However, women

222 Dinh, TN. 2017. "State investment in education and training: Current situation and some recommendations". *The Finance Journal*. 20 October 2017. Accessed 30 Sept 2020. <http://tapchitaichinh.vn/nghien-cuu-trao-doi/dau-tu-cua-nha-nuoc-cho-giao-duc-dao-tao-thuc-trang-va-mot-so-de-xuat-130918.html>

223 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Survey 2018*. Hanoi: GSO.



TABLE 4: GENDER PARITY INDEX FOR ENROLMENT

	Primary education	Lower secondary	Upper secondary
2016	0.999	1.012	1.123
2018	1.004	0.995	1.107

Source: Data calculated from Viet Nam Household Living Standard Survey, 2016 and 2018

TABLE 5: NET ENROLMENT RATE, BY EDUCATION LEVEL AND SEX (%)

	Female		Male	
	2016	2018	2016	2018
Primary	97.0	97.4	97.1	97.2
Lower Secondary	91.6	92.7	89.3	91.6
Upper Secondary	<b>73.6</b>	<b>76.7</b>	<b>63.7</b>	<b>67.7</b>

Source: Viet Nam Household Living Standard Survey, 2018.

in the poorest households have the lowest rate, at 84.2 per cent.<sup>224</sup> There is near universal completion at primary and lower secondary education levels. The Gender Parity Index<sup>225</sup> for enrolment (see Table 4) reflects the higher rate of girls' enrolment at primary and upper secondary levels.

Table 5 reveals there is a gender difference in the Net Enrolment Rate at upper secondary level, where girls have a higher enrolment rate (76.7 per cent) than boys (67.7 per cent). It has been explained that boys are more likely to drop out of upper secondary school in Viet Nam because of gendered expectations around male wage earning and the family.<sup>226</sup>

There was a notable difference in the rate

224 UN. 2016. Gender Briefing Kit 2016. Hanoi: UN.

225 The Gender Parity Index (GPI) is calculated by dividing the female Gross Enrolment Ratio by the male Gross Enrolment Ratio for the given level of education.

226 United Nations Children's Fund. 2019. *Gender Counts: A quantitative assessment of gender inequality and its impact on girls and boys in East and Southeast Asia*. Bangkok: UNICEF East Asia and the Pacific.

of school-aged children failing to attend school across urban and rural areas, as well as between socio-economic regions. In 2019, the rate in rural areas was 1.7 times higher than that of urban areas at 9.5 per cent and 5.7 per cent, respectively. The Central Highlands and Mekong River Delta region had the highest rate of school-age children failing to attend school across the country, each reaching 13.3 per cent. The lowest rate was in the Red River Delta at 3.2 per cent.<sup>227</sup>

Regarding tertiary-level completion rates, there is little gender difference at Bachelor degree level. According to GSO data, 9.4 per cent and 10.8 per cent of women aged 15 years and over graduated from college or university in 2016 and 2018, respectively. The equivalent figures for men were 9.5 per cent and 10.7 per cent in 2016 and 2018.<sup>228</sup>

227 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Survey 2018*. op. cit.

228 General Statistics Office (GSO). *Viet Nam Household Living Standard Survey 2016 & 2018*. Hanoi: GSO.

### Remaining challenges/gender gaps.

Gender disparities are pronounced, however, within the educational sector workforce, women account for 76.2 per cent of the total employees, from early childhood education (99.7 per cent), through to basic education (primary, lower secondary and upper secondary education) (72.2 per cent) and tertiary education (46.9 per cent).<sup>229</sup> However, the ratio of women in management and leadership positions is in inverse proportion to their presence in the workforce. Although, data is limited, especially for the sub-national level, the MOET departmental data indicates that women account for 14.8 per cent of the Ministry's Party Committee, 13 per cent of Department Directors, 34.8 per cent of Vice-Directors, and 19.8 per cent of Leaders and Managers at the Divisional level. Furthermore, currently, there are no specific measures, targets or strategies to enhance women's representation in management in the education sector.

Additionally, although the ratio of women and men with a college/university degree is almost equal, women account for only a fraction of those with postgraduate qualifications. In 2019, women held 28 per cent of doctoral degrees,<sup>230</sup> which is only marginally higher than the rate reported a decade ago in 2010 at 17 per cent.<sup>231</sup> Gender gaps at postgraduate level are pronounced because women face obstacles in the pursuit of further study such as marriage, childbirth and the fulfilment of family responsibilities. These gender gaps are not recognized or considered in the *Law on Higher Education* (2018).

Behind gender parity at an aggregate level, gender inequalities in educational outcomes exist for children and youth from ethnic minority groups, and for those with disabilities. Girls face particular disadvantage as presented below, although boys are also affected but to a lesser extent.

### Educational access for ethnic minority children.

Access to education and the quality of education remains a significant challenge for ethnic minority children irrespective of gender. The lowest literacy rate in Viet Nam is found among ethnic minority women (83.2 per cent), underlining chronic educational shortfalls for non-Kinh women.<sup>232</sup> The out-of-school rate for ethnic minority children, at 15.5 per cent, is nearly twice as high as the national average (8.3 per cent), and nearly three times higher than that for Kinh children (6.8 per cent).<sup>233</sup> Nevertheless, over the past decade, the reported out-of-school rate has halved for Kinh children, and reduced by over 40 per cent for ethnic minority children. However, boys have consistently accounted for higher rates of drop-out and of those who have never-attended-school, irrespective of ethnicity.

229 Ministry of Education and Training (MOET). 2019. *Report on implementation of the gender equality law and national targets on gender equality in 2018 in education sector*. Hanoi: MOET.

230 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Survey 2018*. op. cit.

231 Ministry of Labour-Invalids and Social Affairs (MOLISA). 2010. *Viet Nam Employment Trends 2010*. Cited in World Bank. 2011. *Vietnam Country Gender Assessment*. Hanoi: World Bank. op. cit.

232 UN. 2016. *Gender Briefing Kit*. Hanoi: UN.

233 General Statistics Office and Committee for Ethnic Minority Affairs. 2019. *Survey on socio-economic situation of 53 ethnic minorities*. Hanoi: GSO.

TABLE 6: RATIO OF OUT-OF-SCHOOL ETHNIC MINORITY CHILDREN, BY SEX, 2009 AND 2019

		Nationwide	Kinh Group	53 Ethnic Minority Groups
2009	Total	16.4	14.2	26.4
	Male	17.3	15.4	26.2
	Female	15.3	12.9	26.6
2019	Total	8.3	6.8	15.5
	Male	9.2	7.6	16.4
	Female	7.5	5.9	14.5

Source: GSO & CEMA. 2019. Survey on socio-economic situation of 53 ethnic minorities.

TABLE 7: NET ENROLMENT RATE OF ETHNIC MINORITY CHILDREN, BY SEX

Primary		Lower secondary		Upper Secondary	
Male	Female	Male	Female	Male	Female
96.8	97.0	80,0	83,3	43,4	50,9

Source: GSO & CEMA. 2019. Survey on socio-economic situation of 53 ethnic minorities.

Gender differences, favouring girls' enrolment, are also found in the enrolment rate 'at the right age' among ethnic minority children at secondary level. A reported 80 per cent of ethnic minority boys and 83.3 per cent of girls are enrolled at the correct age at lower secondary school. However, the rate is even lower for upper secondary level, with 43.4 per cent of ethnic minority boys and 50.9 per cent of girls enrolled at the correct age. These rates are considerably less than the national average, which is 91.6 and 92.7 per cent for boys and girls, respectively, at lower secondary level; and 67.7 and 76.7 per cent for boys and girls, respectively, at upper secondary level.<sup>234</sup> Ethnic minority girls and boys have consistently less access to schooling and

<sup>234</sup> GSO and CEMA. 2019. Survey on socio-economic situation of 53 ethnic minorities; GSO, 2019; VHLSS 2018

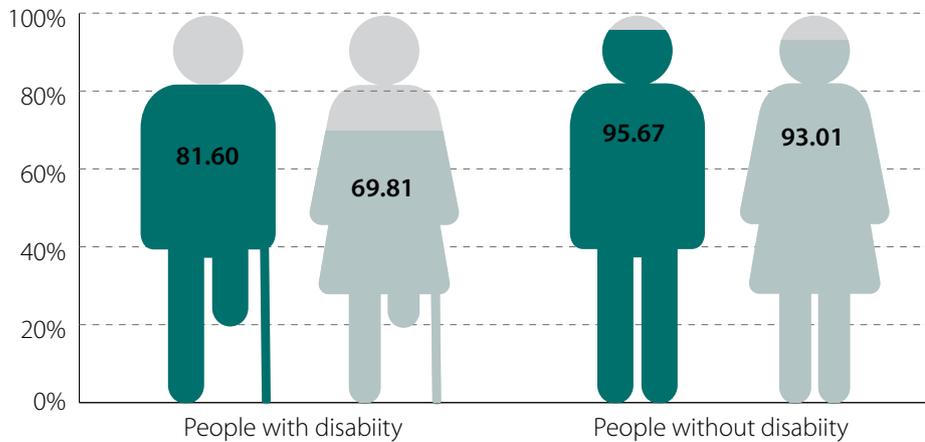
compromised educational attainment, as compared to the national average.

Viet Nam has a number of preferential education policies for ethnic minority pupils, however, they are 'gender-neutral'.<sup>235</sup> Given the divergent patterns of enrolment and completion for ethnic minority girls and boys, policies that overlook gender difference may exacerbate or at the very least be ineffective in addressing existing inequalities in the field of education.<sup>236</sup> For instance, the gender specific drivers and opportunity costs which explain

<sup>235</sup> For instance, Decree No. 06/2018/ND-CP. 2018. Policy on free lunch for pre-schools and Policy for pre-school teachers; Decree No. 57/2017/ND-CP. 2017. Priority policy for recruitment and learning support for pre-school children, pupils, students of ethnic minorities.

<sup>236</sup> UN Women, Irish Aid and CEMA. 2019. Policy recommendations to promote gender equality among ethnic minority peoples in Viet Nam. Hanoi: UN Women.

FIGURE 14: LITERACY RATE OF PEOPLE OVER 15 YEARS OLD, PEOPLE WITH AND WITHOUT DISABILITIES



Source: GSO. 2016. National Survey on People with Disabilities.<sup>238</sup>

early educational drop-out by boys, including income-earning obligations.

**Educational access for children with disabilities.** According to the GSO (2016), 7.0 per cent of Viet Nam’s population lives with a disability, with a higher rate among women (8.19 per cent) than men (5.87 per cent). A likely contributing factor is that women tend to live longer than men.<sup>238</sup> There is a notable gap in the literacy rate of people with disabilities at 73.43 per cent, as compared to people without disabilities (94.31 per cent). The literacy rate among women with disabilities is even lower, at 69.81 per cent as compared with men with disabilities at 82.6 per cent.

People with disabilities face many obstacles and challenges in accessing inclusive, quality education.<sup>239</sup> The *National Survey on People with Disabilities* (2016) found that the majority of women surveyed (62.27 per cent) had completed pre-primary school level only, as compared with an estimated 43.61 per cent of men with disabilities.<sup>240</sup> The literacy rate among women with disabilities is correspondingly low. Furthermore, at all levels of education, from primary to tertiary education, boys and men with disabilities have greater access to education than that of girls and women (Figure 15).

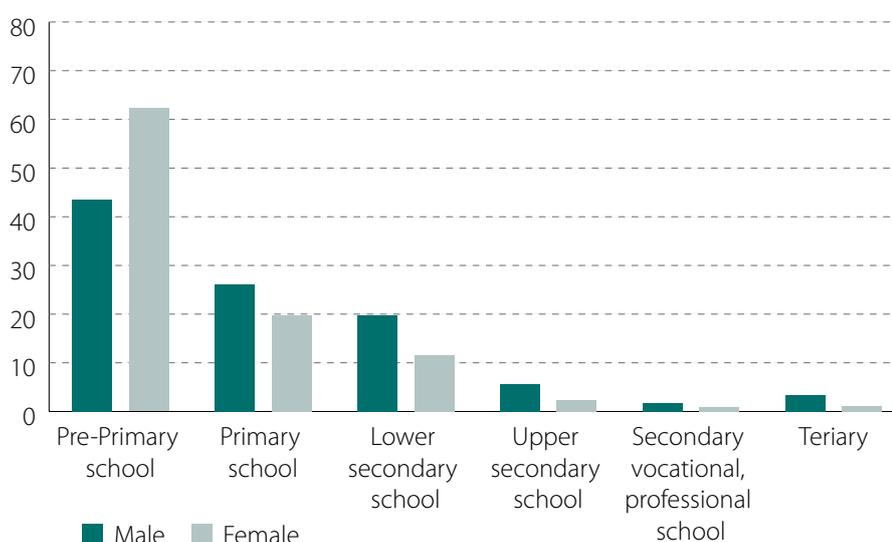
237 Cited in General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*. Hanoi: GSO.

238 General Statistics Office (GSO). 2016. *National Survey on People with Disabilities*. Hanoi: GSO.

239 United Nations Children’s Fund (UNICEF). 2015. *Readiness for Education of Children with Disabilities in Eight Provinces of Viet Nam*. Hanoi: UNICEF Viet Nam.

240 General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*. op.cit.

FIGURE 15: EDUCATIONAL COMPLETION BY PEOPLE WITH DISABILITIES, BY SEX



Source: GSO. 2016. National Survey on People with Disabilities.

Whilst the data differs slightly between the GSO's national survey (2016) and MOLISA's *Gender Statistics in Viet Nam in 2016* (2017), a pattern persists of a lower participation rate by girls with disabilities across all levels of schooling. Irrespective of gender, and despite non-discrimination provisions in education sector laws,<sup>241</sup> having a disability is a significant barrier to education for both girls and boys, as compared to the near universal rates of basic education completion in Viet Nam.

There are several factors underlying these obstacles. Pre-service and in-service teacher training does not equip teachers with the knowledge, skills and outlook for managing learner diversity, and inclusive education for children with disabilities. Delays in the release of the official certification of a child's disability classification prevents schools from accessing the government funding

241 For example, Education Law 20, Law on Persons with Disabilities 2010 and the Law on Children 2016. Cited in the UN Committee on the Rights of Persons with Disabilities. 2018. *Initial report submitted by Viet Nam under article 35 of the Convention*. CRPD/C/VNM/1.

available. Additionally, MOET has reported that a number of pre-/schools are not able to guarantee adequate conditions for inclusive education, especially for children with multiple disabilities.<sup>242</sup> In fact, the Ministry of Construction estimates that only 20.8 per cent of educational facilities, overall, meet accessibility requirements.<sup>243</sup>

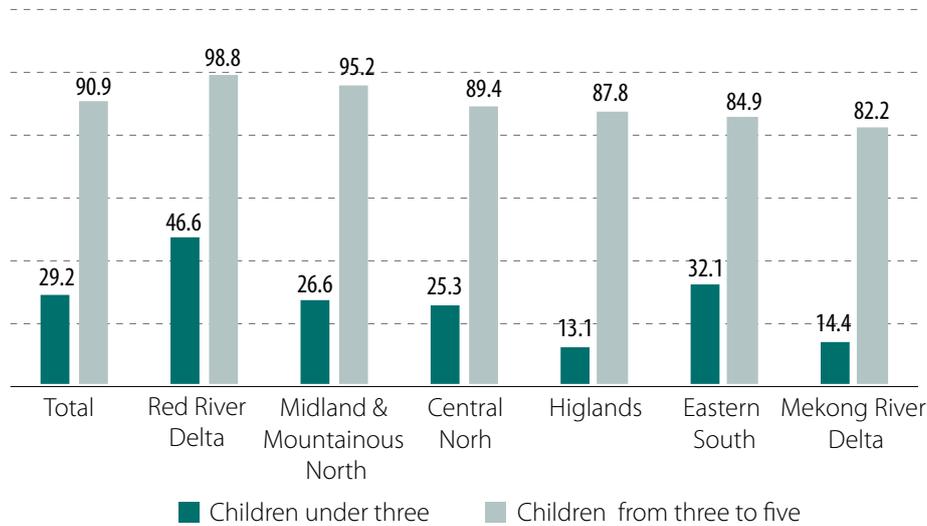
Disparities on the basis of gender and disability continue through to vocational training, with an estimated 4.4 per cent of women with disabilities enrolled in vocational training, as compared with 12 per cent of men.<sup>244</sup> This "double barrier" faced by women with disabilities also carries through to lower participation rates in the labour market.

242 MOET. 2020. Annual evaluation report on results of Implementation of the tasks for the schooling year 2019-2020 (Draft report)

243 UN Committee on the Rights of Persons with Disabilities. 2018. *Initial report submitted by Viet Nam under article 35 of the Convention*. CRPD/C/VNM/1.

244 General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*. op.cit.

FIGURE 16: ENROLMENT RATE BY REGIONS (SCHOOL YEAR 2019-2020)



Source: MOET. 2020. Annual Report, school year 2019-2020.

**Early Childhood Development (ECD).** The expansion and consolidation of the pre-school network is one of the priorities of the Government's Early Childhood Development (ECD) policy, as indicated in *Decision 1677/QĐ-TTg (2018) on the Approval of the National Programme on Early Childhood Education for the period of 2018-2025*. The ECD network includes a range of providers, namely public, semi-public and private pre-schools, as well as independent or private classes/groups of children (known locally as *nhóm/lớp độc lập tự thực*).

In the *National Strategy for Education*, the government's target was, by 2020, 30 per cent of children of kindergarten age and 92 per cent of pre-school age children would be enrolled and attending. All 63 provinces and cities nationwide have achieved universal education for 5 year old children.<sup>245</sup> In the 2019-2020 school year, MOET reported that 90.9 per cent of 3 to 5-year-old children

(pre-primary school age) attended pre-school. However, the challenge remains with respect to children under three years of age, with an enrolment rate of 29.2 per cent.<sup>246</sup> Although the national policy target was virtually met, the target is low and over two thirds of children under 3 years are not in school. This has direct implications for childhood development outcomes, for women's care responsibilities, and unpaid care work, their participation in the economy as well as public life in those households. The lowest rate is in the Central Highlands (13.1 per cent), followed by the Mekong River Delta region (14.4 per cent).

245 Dang Hong Phuong. 2017. Education Journal. Special Issue. December 2017.

246 MOET.2020. Annual evaluation report on results of Implementation of the tasks for the schooling year 2019-2020 (Draft report). Note that the IFC estimates this to be lower, with only 22.7 per cent of children under three are enrolled in childcare or education facilities that would be classified as formal. International Finance Corporation (IFC). 2020. *Tackling Childcare: The Business Case for Employer-Supported Childcare in Vietnam*. August 2020. Washington DC: IFC.

FIGURE 17: CHILD ATTENDANCE AT CHILDCARE, BY AGE (%)



Source: Calculated from VHLSS, 2016 and 2018.

Data and analysis from the *Viet Nam Household Living Standards Survey* (2016 and 2018) show that the ratio of children between one and two years of age attending childcare is extremely low, around 4 per cent and 20 per cent, respectively. While the ratio remained virtually unchanged between 2016 and 2018 for this age cohort.

The lack of sex-disaggregated data on enrolment rates for pre-primary aged children hinders an analysis of gender difference in pre-school attendance. However, the low enrolment rates of young children overall is explained by a number of factors, including the shortage of pre-school facilities and teachers.<sup>247</sup> The government's current prioritization of universal education for 5 year old children reduces the system's capacity to cater for children aged 3 to 4, particularly those of less than 3 years of age.

In Viet Nam, care arrangements for children

under 3 years of age is, therefore, primarily a parental responsibility, and the primary caregiving role is usually performed by mothers. While some families may prefer home-based socialisation and care in these early years, a recent IFC report on employer-supported childcare noted that statistical data from Viet Nam suggests that 'a lack of facilities, rather than an unwillingness of parents, contributes to this low attendance'. It further observes that care responsibilities are a key reason for women not participating in the labour market, and the survey results showing that 40 per cent of women, are not engaged in any paid work, cited this as the 'main' factor.<sup>248</sup> This was also the finding of a World Bank paper (2018) on occupational ranking in Viet Nam which confirmed that a 'non-trivial part' of the gender wage gap in Viet Nam was due to women choosing to work in low paid professions which offered flexibility

247 According to the MOET Report for the 2019-2020 period, Viet Nam lacks 45,242 teachers for pre-schools. By the end of the 2019-2020 school year, there were 360,697 pre-school teachers nationwide.

248 World Bank. 2018. *Vietnam's Future Jobs – the Gender Dimension*. Cited in International Finance Organisation (IFC). 2020. *Tackling Childcare: The Business Case for Employer-Supported Childcare in Vietnam*. August 2020. Washington DC: IFC.

for managing their household and care roles.<sup>249</sup>

Reliable access to childcare also affects the quality of women's labour force participation. An analysis of childcare and maternal employment in Viet Nam by the World Bank found that the use of childcare 'increases the probability of women having a wage-earning job by 41 per cent and increases the probability of their having a formal job by 26 per cent'. It also enables women to earn higher wages and undertake increased working hours. Persuasively for policy makers, the study also noted a positive, if slight, increase in men's labour participation.<sup>250</sup>

In general, policy for the development of children aged 0-3 is nascent in Viet Nam and needs to be strengthened, from both a child development and a gender perspective.

### **Gender issues in the education sector.**

*Gender norms are a significant influence on fields of study.* Gender stereotypes and the streaming of girls and boys into 'suitable' fields of study is notable in Viet Nam, and hampers women and girls from pursuing subjects that could offer better opportunities for future employment. For instance, gender stereotypes prevail whereby men are more suited to the study of IT or 'highly skilled' jobs, which remains influential in the choice of field of study by women and men, and their subsequent participation in the labour market and employment. Such views are pervasive, and are frequently observed among pupils, teachers and parents. At tertiary education level, sex-dissaggregated data by field is not available. However, enrolment data from the 2019-2020 school year shows that female students are concentrated in the fields of

Teacher Training and Education (80 per cent), Business and Administration (69 per cent) and Health (62 per cent). Meanwhile, male students account for 80 per cent of the students in the study of Mathematics and Statistics, Computing and Information Technology, Engineering Technology, Technology, Manufacturing & processing, Architecture and building, Agriculture, Forestry and Fisheries, and Veterinary Science.<sup>251</sup> A recent study on gender and learning outcomes in Viet Nam indicates that although girls, on average, are performing better at maths, they believe that they have less ability than boys, who tend to be more confident.<sup>252</sup> International experience also reveals that gender norms, expectations and the roles of girls and boys contribute to gender disparities in terms of learning outcomes.<sup>253</sup> Children themselves believe that arts and languages constitute 'feminine' activities, and that STEM subjects are 'masculine'. *Parents also are likely to have an influence on girls' choices and tend to have fewer positive attitudes towards STEM education for girls.* Data is not available on STEM learning outcomes in Viet Nam, which impedes any understanding of achievement or discouragement in STEM for girls.

*The absence or lack of a comprehensive gender mainstreaming approach* throughout the education system restricts efforts within the system to promote gender equality. Apart from the mention of non-discrimination based on gender, education sector policies and programs do not explicitly identify any gender disparities or measures for redress. This includes policies, programs, budget, infrastructure, curriculum, statistics, learning

249 World Bank. 2018. *Gender Streaming in Vietnam*. Washington DC: East Asia and Pacific Gender Innovation Lab, World Bank.

250 World Bank. 2019. *Childcare and Maternal Employment: Evidence from Vietnam. Policy Research Working Paper 8856*. Washington DC: World Bank.

251 Data provided by the Statistics Division, Ministry of Training and Education, Viet Nam.

252 Obiageri, BA., and Little, AW. 2019. *Learning Motivations, Learning Outcomes and Gender in Vietnam. Working Paper 181*. UK: Young Lives.

253 United Nations Children's Fund. 2019. *Gender Counts: A quantitative assessment of gender inequality and its impact on girls and boys in East and Southeast Asia*. UNICEF East Asia and the Pacific, Bangkok, 2019.

environment, management and leadership.

*A lack of sex-disaggregated data in education and training.* MOET statistics provide some sex-disaggregated data but this is not adequate for gender analysis. For example, on MOET's website, there are statistics on tertiary education for the 2017-2018 and 2018-2019 academic years, such as the number of new masters and doctoral students, number of graduated students, number of managers and staff of the education sector.<sup>254</sup> However, there are only two data points which are sex-disaggregated - new enrolments by students, and teachers. It is critical to have sex-disaggregated data on the following: enrolment by field of studies; completion rates; enrolment by ethnic minority group; educational level (master, doctoral level); and data on female and male workforce breakdown by level of education and title (e.g. Master, Doctor, and Professor), by management position (e.g. Vice/Rector of universities, Vice/Head of Department within universities). The lack of sex-disaggregated data at the national level hinders the formulation of gender-responsive policies. For example, the lack of data on women and men enrolled in science, technology, engineering and mathematics (STEM) makes it difficult to analyse and promote gender equality in STEM.

### Recommendations

- Curriculum that dispels gender stereotypes and promotes an understanding of substantive gender equality needs to be integrated into all levels of the education system. The process of altering gender norms needs to start with young children through the formalization (institutionalization) of teaching gender equality as a subject in general

<sup>254</sup> <https://moet.gov.vn/thong-ke/Pages/thong-ko-giao-duc-dai-hoc.aspx>

education.<sup>255</sup>

- The sex-disaggregation of data across the compilation and reporting system should be a priority, particularly at the level of tertiary education by major fields of study, and data on early childhood education by ages. That data should be available in the MOET statistics book and the ministry website.
- Institutionalization of gender mainstreaming and social inclusion throughout the education system is a pre-requisite for promoting gender equality, and there should be consistency between the sectoral policy and legal framework, budget investment to training programs, capacity building and accountability.

## 4.4 VOCATIONAL EDUCATION AND TRAINING



The reform and modernisation of vocational education has been identified by MOLISA as one of the most important tasks for human resource development in Viet Nam. This was underlined in its 2018 Resolution on the issue.<sup>256</sup> Further endorsement of its priority was included in the *Law on Vocational Education* (2019) which sets out the policy framework for innovation in vocational education.

<sup>255</sup> In 2020, UNICEF Viet Nam commenced support to MOET on the integration of gender equality content and removal of gender stereotyping in the national ECD and primary school curriculum. Results are not yet publicly available on the substance and progress of this initiative.

<sup>256</sup> Resolution No 617-NQ/BCSD dated on 28 December 2018 on *Improvement of the quality of vocational education to 2021 and orientation to 2030*



The number of people aged 15 and over who have completed vocational training has increased over the period 2010-2018,<sup>257</sup> and this has contributed to a shift in the workforce from the agricultural sector to the industrial and services sector. However, the proportion of workers with vocational education remains low and the quality of training of many vocational training institutions does not meet the human resource needs and standards of employers. Given the digital economy and the Fourth Industrial Revolution, as well as recent trends in human resource mobility in the international labour market, vocational education faces many urgent challenges.

Gender equality in vocational education is regulated in the *Law on Vocational Education*, which includes provisions to support women learners to take part in elementary vocational courses and courses of up to three months' duration.<sup>258</sup> However, this has not been translated into specific programs and strategies. For instance, women's and men's vocational training coverage and needs are not considered in the *Vocational Training Development Strategy 2010-2020*, nor the *Youth Development Policy and Strategy 2010-2020*. More recently, Viet Nam launched the *National Program on Vocational Education and Career-Orientation for Pupils in the period of 2018 – 2025*. This program aims to promote policies that encourage the pupils to enter vocational training, a mechanism to coordinate education establishments and vocational education, and classification of pupils after the completion of lower and upper secondary schools. However, it too does not include an analysis of gender

issues, barriers or stereotypes affecting vocational education uptake and outcomes upon completion.

Annual reports on vocational training have limited sex-disaggregated data and tend to lack gender analysis information.<sup>259</sup> This impedes the formulation and development of targeted strategies. Routine sex-disaggregated data collection and in-depth gender analysis is needed to bring gender disparities and issues to light, and to address them as a priority.

### Technical and vocational education levels of workers

The proportion of employees that have received technical training has increased slightly in recent years. However, the share of women with technical qualifications has consistently been lower than that of men. This has been the case irrespective of age, training level and geographic region.<sup>260</sup>

257 VHLSS 2016, 2018; UN Women and Institute of Labor Science and Social Affairs. 2015. *Gender Issues in vocational training*. <http://www.ilssa.org.vn/vi/news/binh-dang-gioi-trong-dao-tao-nghe-o-viet-nam-van-de-gioi-trong-hoc-nghe-o-viet-nam--mot-so-ket-qua-chinh-tu-phan-tich-so-lieu-dieu-tra-lao-dong--vi-126>;

258 Law on Vocational Education (2019): Clause 7, Article 6 (Government's policy on vocational education development); Article 60 (Rights and Obligations of the learners); and Article 62 (Policies for learners of vocational education programs).

259 See the reports for 2016, 2017, 2018. The National Institute for Vocational Training, General Department of Vocational Education.

260 UN Women and Institute of Labor Science and Social Affairs. 2015.

TABLE 8: RATE OF EMPLOYED PERSONS WITH TECHNICAL QUALIFICATIONS, BY SEX, 2015-2019

Years	Men	Women
2015	22.4	17.3
2016	23.0	18.0
2017	24.0	18.7
2018	24.4	19.3
2019	25.5	20.5

Source: GSO. Labour Force Surveys, from 2015 to 2018; Population Census, 2019.

TABLE 9: RATE OF EMPLOYED PERSONS WITH TECHNICAL QUALIFICATIONS, BY URBAN/ RURAL AND SEX, 2020

	Total	Urban	Rural
Men	26.72	42.67	19.04
Women	20.14	35.50	12.62

Source: GSO. 2020. Labour Force Survey.

The data for the 2015- 2018 period for urban and rural women shows the same gender gap. Rural women have the lowest rates of vocational training, compared with both rural men and urban women and men. This is of particular concern in terms of rural restructuring, which will increase the imperative for rural women to have access to vocational training to enter new forms of agricultural work or shift to other income generating sectors.

TABLE 10: PERCENTAGE OF POPULATION WITH VOCATIONAL TRAINING, BY SEX (%)

2016			2018		
Total	Women	Men	Total	Women	Men
4.8	4.1	5.6	5.4	4.5	6.4

GSO. Viet Nam Household Living Standard Survey, 2016 and 2018.

TABLE 11: RATIO OF VOCATIONAL EDUCATION ENROLMENT, BY SEX AND ETHNICITY (%)

	2015	2016	2017	2018
Women	15.6	22.6	22.6	23.8
Ethnic minority women and men	5.8	6.9	6.8	6.5

Source: Calculated from MOLISA Statistical Year Book, 2018

The Labor Force Survey (2020) also confirms a gender gap in obtaining vocational education qualifications. A reported 9.1 per cent of female workers, as compared to 16 per cent of male workers, have a degree or formal certificate in vocational education.<sup>261</sup>

**Vocational training enrollment.** In terms of vocational training enrollment, available data reiterates the gender pattern. Although the ratio of female students increased for the period 2015 to 2018, it remained lower than that of male students. Women constituted less than a quarter of the students enrolled over the period 2015 to 2018. Ethnic minority

261 GSO.2020. Labor Force Survey

women and men accounted for 5 to 6 per cent of the total number of vocational students. Available data does not support the analysis of gender difference in vocational education and by ethnicity, or within ethnic minority groups.

Increases in women’s enrollment are mostly accounted for by women workers participating in elementary training and or training in 3-month programs, not of longer duration. Training is mostly concentrated in the ‘feminised’ fields of garment making, footwear, electronic assembling, tourism, services, and seafood processing in agricultural production.<sup>262</sup> This is also the case for women migrant workers whose access to training opportunities is confined to certain jobs within the labour market. This in turn limits the range of jobs or work that they can migrate for.<sup>263</sup>

Survey data shows that the gap in obtaining vocational training is considerable for people with disabilities, particularly women. Among the population aged 15 years and older, only about 4.4 per cent of women with disabilities receive vocational training, compared to around 12 per cent of men with disabilities. Women with disabilities face a double barrier by being women and on account of their disability.

TABLE 12: RATIO OF POPULATION AGED 15 YEARS OLD AND OVER RECEIVING VOCATIONAL TRAINING, BY DISABILITY STATUS

	People with disabilities	People without disabilities
Women	4.40	19.23
Men	11.64	24.74

Source: GSO. 2019. National Survey on People with Disabilities

**Structure of the vocational education system.**

Viet Nam’s vocational education system includes elementary, intermediate, college levels and so-called ‘other levels’ that consist of short-term/less than 3-month vocational training programs. Overall, enrollment is concentrated at the elementary level, and ‘other levels’ of vocational education. For example, in 2018, an estimated 2,210,000 students were enrolled nationwide, of whom: 14.4 per cent were at college, 10.3 per cent were at intermediate level; and the elementary level and other levels of vocational training accounted for 75.3 per cent.<sup>264</sup>

At the national level, the lack of sex-disaggregated data on enrolment and completion of vocational training by field of study hinders the full understanding of gender issues in the vocational education sector. A number of qualitative studies indicate that, due to gender stereotypes, women’s enrolment in training is confined to a narrow range of occupational areas and limits their participation in male-dominated areas of training and employment.<sup>265</sup>

262 Paper on Situation, Solutions on Vocational training and Job Creation for Women to Improve Quality of Human Resource, available at [http://hoilhpn.org.vn/images\\_upload/files\\_693.pdf](http://hoilhpn.org.vn/images_upload/files_693.pdf)

263 See CGEP section on International Labour Migration.

264 General Department of Vocational Education and Training. 2018. Report on Vocational Education Viet Nam 2018. The Youth Publishing House. 2019.

265 ADB. 2017. Gender Assessment of Technical and Vocational Education and Training (TVET) and School-to-Work Transition in Viet Nam.

The Viet Nam Women's Union (VWU) is a complementary provider of vocational training programs. They provide training in the areas of garment construction, fashion design, traditional handicrafts, cooking, aesthetics, arts and beauty. While beneficial, these confine women to a small range of potential but gender-specific jobs which reinforce rather than challenge the gender stereotype.<sup>266</sup>

An assessment conducted by the ADB in 2017 found that the vocational training institutions do not have any specific strategies to attract women into vocational training in general, nor plans to expand women's enrolment into male-oriented/dominated areas. The review found that women's participation in vocational training in technical areas was low, and that career counselling frequently limits the training choices pursued by women.<sup>267</sup>

Gender norms greatly influence the choice of training areas by men and women. For instance, career guidance orients young men toward technical jobs, such as automobile repair, construction, mechanical, electrical and refrigeration, while young women are advised to take up careers in domestic and social sciences and humanities, such as tourism, accounting, teachers, sewing and cooking.<sup>268</sup> Cultural gender norms strongly dictate the 'appropriateness' and 'suitability' of occupations for women and men, which determines their choice of fields of study and, ultimately, their livelihood and career prospects.

In the context of the Industrial Revolution 4.0 with its great transformation of the job structure in Viet Nam, it is critical to support women to transcend the 'designated' lower

skilled and limited range of jobs considered 'suitable' for women.

## Recommendations

- Reform of the vocational education and training system needs to be gender and socially inclusive. A gender lens is needed across the entire policy and institutional framework, considering employers, training institution workforce and students. This needs to encompass: policy and legislation, vocational training program promotion and content, enrolment and completion, non-discriminatory development for occupational skills, tracer studies, non-gender biased career guidance and counselling.
- It is fundamental to improve the data and reporting system for vocational education in Viet Nam to ensure the systematic collection of sex-disaggregated data, which is indispensable for policy analysis and measures to improve women's enrolment and outcomes. From a gender perspective, there is a need to challenge prevailing social norms in order to promote women's enrolment in the full range of technical training, both in Viet Nam and in readiness for international labour migration, so that women are positioned to take up skilled and high-value jobs in the changing labour market, and have access to decent work.

<sup>266</sup> Ibid. See also . Paper on Situation, Solutions on Vocational Training and Job Creation for Women to Improve Quality of Human Resource, available at [http://hoilhpn.org.vn/images\\_upload/files\\_693.pdf](http://hoilhpn.org.vn/images_upload/files_693.pdf)

<sup>267</sup> Ibid.

<sup>268</sup> UNICEF. 2019. *Vocational Training, Orientation & Employment for Children aged 15 to 18 years old*. Ha Noi. 2019

A woman with dark hair tied back, wearing a yellow sleeveless shirt and a white face mask with red polka dots and a floral pattern, is focused on her work at a sewing machine. She is wearing a gold necklace and a silver watch. The background is a blurred factory setting with other workers and machinery.

## CHAPTER 5. EQUALITY IN THE ECONOMY

## 5.1 WOMEN'S STATUS IN THE ECONOMY



**A period of economic opportunity for women.** Women's economic participation, when factoring in the sheer proportion of women in the labour force and the extent of women's engagement in management and business activity, is an area of distinction for Viet Nam. In 2020, MOLISA reported that from 2011-2019, women accounted for at least 47.3 per cent of the new jobs created over this period, across a widening range of sectors. With jobs created for an estimated 1.51 million workers in 2019 alone, this amounts to new jobs for nearly 714,000 women.<sup>269</sup> Additionally, with an estimate of 45 per cent of labour income accruing to women, the *Global Gender Gap Report 2020* noted that Viet Nam had 'one of the largest shares' globally.<sup>270</sup> By 2021, the same report series placed Viet Nam 26<sup>th</sup> out of 156 countries on the Economic Opportunity and Participation Subindex.<sup>271</sup> Based on the gender gap in labour participation, earnings, and advanced (defined as the ratio of women in senior, professional and technical roles), Viet Nam has continued to outperform the majority of countries, including high income peers.

269 MOLISA. 2019. *Performance Review Report and Ways Forward in 2020* cited in MOLISA. 2021. *Review Report on Implementation of the National Strategy on Gender Equality (NSGE) Period 2011-2019*. Hanoi: MOLISA.

270 World Economic Forum (WEF). 2019. *Global Gender Gap Report 2020*. Geneva: WEF.

271 "The participation gap is captured using the difference between women and men in labour force participation rates. The remuneration gap is captured through a hard data indicator (ratio of estimated female-to-male earned income)<sup>2</sup> and a qualitative indicator gathered through the World Economic Forum's annual Executive Opinion Survey (wage equality for similar work).<sup>3</sup> Finally, the gap between the advancement of women and men is captured through two hard data statistics (the ratio of women to men among legislators, senior officials and managers, and the ratio of women to men among technical and professional workers)

**Conducive domestic conditions.** Women's high labour force participation rate reflects the presence of enabling factors and attitudes for women to undertake paid work. Viet Nam ranked in the top 45 per cent of countries globally, and in the top 3 ASEAN countries, in the *Women, Business and the Law* report for 2021<sup>272</sup> which measures gender-based discrimination in law affecting women's participation in the economy. Viet Nam is noted for the absence of *de jure* restrictions on women's freedom of movement, decision to work, starting and running a business, owning property and assets, and marriage related-bars (e.g. exclusions on women from certain work, once married).<sup>273</sup> There is also sufficient societal endorsement for women to earn, with some caveats.

### Looking behind participation rates.

Despite the promising contextual factors, participation rates per se offer only a partial picture of women's engagement in the economy. While the upsurge in women's waged employment in the recent period is a clear positive, participation does not equate to empowerment. For instance, participation rates do not reveal whether women are in full or part time work, whether they are working by choice, poverty or economic crisis, nor the conditions, pay or future of their work.<sup>274</sup> A similar lens can be applied to women's entrepreneurial activity, and the reasons behind the clustering of women in micro, small and medium enterprises. The quality and security of current and future jobs, the drivers and prospects of business activity, and women's leadership in the economy are better measures for understanding women's economic progress in Viet Nam. This has only been magnified by the impact of COVID-19 which has altered long

272 World Bank. 2021. *Women, Business and the Law 2021*. Washington DC: World Bank.

273 Ibid.

274 World Bank. 2020. *Vibrant Vietnam: Forging the Foundation of a High-Income Economy*. Washington DC: World Bank.



standing trends in both women and men's labour force participation rate.<sup>275</sup>

**Gendered barriers exist.** Despite advances for women in the legal framework for labour and enterprises over the past five years, in Viet Nam as elsewhere, the economy remains 'a gendered structure.'<sup>276</sup> Gender stereotypes affect women's economic participation, and women face formal and societal barriers for participating on a par with men. Factors such as care responsibilities and being disproportionately represented in more flexible but lower paid, 'lower skilled' segments of the labour market undermines women's position in the economy and resilience in the future. Lastly, data confirms that intersecting forms of discrimination and disadvantage compound the difficulties faced by certain groups of women, such as women living with disability, migrant women, ethnic minority women and those living in rural areas, single mothers, as well as older and elderly women. These groups of women typically face greater barriers to opportunities, and lower returns on their labour and market engagement.

### Legal Framework:

**Important social insurance and enterprise reforms passed.** In recent years, key reforms towards equality have taken place in the sphere of employment. Several laws have included a gender mainstreaming assessment at the drafting stage and are now deemed in compliance with gender mainstreaming regulations. These include the *Employment Law (2015)*, *Law on Occupational Health and Safety (2015)*, *Law on Social Insurance (2016)*, *Labour Code (2019)* and the *Law on Vietnamese workers working overseas under contract amended in 2020*.<sup>277</sup>

275 <https://ilostat.ilo.org/data/country-profiles/> Accessed 18 May 2021.

276 UN Women. 2016. *Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women*. Hanoi: UN Women.

277 Gender Equality Department. 2018. Review Report on 30-Year implementation of the Platform for Building

### Comprehensive maternity protections.

The *Social Insurance Law (2016)* established that the principle of gender equality be applied to compulsory social insurance, maternity benefits, retirement benefits and unemployment insurance. The law includes comprehensive maternity protection for formal workers.<sup>278</sup> It extended the paid maternity leave regime from four to six months, including for surrogate and adopting mothers.<sup>279</sup> Short-term leave is also granted to women in formal employment in the case of miscarriage, abortion and stillbirth. Leave is to be paid at the average salary obtained in the prior 6 months.<sup>280</sup> This is a generous entitlement, even when compared with high and middle-income countries. Indeed, Viet Nam ranks equal to Luxembourg, which was placed 21st of 41 OECD countries in a recent UNICEF study on family friendly provisions in that grouping.<sup>281</sup> Significantly, however, the maternity benefit only applies to women in formal employment – an acknowledged minority of women workers in Viet Nam. This means that foreseeably most of the estimated 7.8 million (2016 data)<sup>282</sup> women working in the informal economy are without health insurance and maternity protections, pitting the nature of paid work against the health and development outcomes for a woman and their child. According to the Law on Social Insurance, voluntary social insurance does not include maternity benefits/maternity protection, and so this represents a significant omission. Furthermore, the six-month entitlement is not able to be shared with spouses. Viet Nam is by no means unique here, but by only allowing women to take

278 This draws on analysis in Organisation for Economic Co-operation and Development (OECD). 2019. *Social Institutions and Gender Index: Viet Nam*.

279 Article 33, paragraph 1

280 Article 39

281 Chzhen, Y., Gromada, A. and Rees, G. 2019. *Are the world's richest countries family friendly? Policy in the OECD and EU*. Florence, UNICEF Office of Research.

282 ILO. 2018. 2016 Report on Informal Employment in Viet Nam. Hanoi: Hong Duc Publishing House.

paid parental leave, infant care is once again reinforced as solely women's responsibility, thus limiting women's work and career options. Men who opt to engage in child rearing in the first six months of life, do so unpaid.

### **Specific support for women in SMEs.**

Regarding business, Viet Nam enacted special measures for women in Small and Medium Enterprises (SMEs). The *Law on Support to SMEs (2017)* introduced an official definition of women-owned SMEs into Viet Nam, namely, an enterprise where 'one or more women hold 51 per cent or more of the charter capital, and at least one of whom is its manager'.<sup>283</sup> This law, for the first time, enabled a uniform measurement of women-owned SMEs, and for targeted outreach to follow. The law itself also provided preferential measures for women-owned SMEs, specifically, in cases where SMEs are eligible for state support (including credit), priority should be given to women-owned SMEs or SMEs employing more women.<sup>284</sup>

### **Taxation impacts upon women in work and business vary.**

Viet Nam's *Personal Income Tax (PIT) Law (2014)* is regarded as an indirect contribution to gender equality since each income earner files their own tax returns and is assessed individually. This avoids the existing bias against women encountered in joint tax systems, whereby household incomes are consolidated, classifying and discouraging women to be 'secondary' earners. The PIT system in Viet Nam is also grounded in the ability to pay principle, with incremental tax thresholds that result in lower tax rates applied to lower income brackets. With women typically earning less than men, this mitigates their tax burden. However, the reverse is true for Enterprise Income Tax (EIT) Laws, with large corporations in 'encouraged sectors' subject

to lower tax rates. Women's concentration in smaller scale businesses means they do not receive a tax benefit.<sup>285</sup> Notably, although the *Enterprise Law (2014)*<sup>286</sup> prohibits discrimination against employees in broad terms, it does not explicitly mention sex or gender-based discrimination. In terms of other legal measures to promote equality in business, Viet Nam has not enacted legislation or quotas with respect to women's representation in executive or board positions in companies, and there are currently no provisions for increasing the award of public procurement contracts to women.<sup>287</sup>

**Landmark labour reforms.** Over the past five years, a major stride for gender equality was through the revision of the *2012 Labour Code*, passed by the National Assembly in October 2019 and effective from 1 January 2021. This was complemented by implementing Decree 145/2020/ND-DP on the Elaboration of Some Articles on the Labor Code on Working Conditions and Labor Relations, passed on 15 December 2020.<sup>288</sup> Labour law typically negotiates the overlap in productive and reproductive life stages, and it safeguards gender-specific biological functions including pregnancy, child-birth and breastfeeding.<sup>289</sup> The *Labour Code 2012* had a separate chapter of provisions concerning female employees (Chapter X). However, a number of gender disparities were enshrined in the Code that were not biologically determined, and discriminatory.<sup>290</sup> The law underwent a comprehensive policy impact

283 Article 3

284 Article 5

285 UN Women. 2016. *Gender Equality and Taxation in Viet Nam: Issues and Recommendations*. op.cit

286 Article 8

287 MOLISA and UNFPA. 2020. op. cit.

288 English version available at <https://vanbanphapluat.co/decre-145-2020-nd-cp-elaboration-of-the-labor-code-on-working-conditions-and-labor-relations>

289 International Labour Conference. 2009. *Report VI: Gender equality at the heart of decent work*. Geneva: ILO.

290 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. op. cit

## Key gender equality revisions in the Labour Code 2019

New provisions?	Modifications?
Carer's leave now available to men.	Increase in the paid paternity leave entitlement from 6 to 34 days, with criteria
Removal of the list of 77 occupations prohibited for women or for pregnant/breastfeeding women.	. Closing of the gender gap in retirement age from 5 to 2 years, and rise in retirement age for both sexes. In gradual steps to age 60 for women by 2035 and to age 62 for men by 2028.
MOLISA authorised to promulgate a list of occupations that may pose risk to reproductive health and childrearing. However, employers must now provide full information on risk to all workers, and guarantee safety and health in conditions.	More specific definition of sexual harassment, including extending its scope to any place where employees "actually perform work" at the request of employers (e.g. events, trips).
Introduction of obligation for employers to ensure equal pay for work of equal value, without any gender-based discrimination.	That day care centres and kindergartens be established where there is a large number of workers (no longer restricted to a large number of female workers).
Reframing of the chapter on 'female employees' to extend coverage to all employees in the carer's leave entitlement and childcare provision by employers.	Maintainence of tax incentives for businesses hiring a 'large number of female employees, in accordance with tax law.
Coverage of domestic workers on contract.	Removal of the exclusion of home-based workers, so they are now covered under the Labour Code.

assessment process, including three separate gender-related policy and mainstreaming assessments.<sup>291</sup> There was also a coordinated effort by international agencies and civil society to work with the government on pro-gender equality proposals, including by the UN Women/ILO, World Bank<sup>292</sup>, Australia,<sup>293</sup> and NGOs such as CARE International and the

291 This included: 1) A gender impact assessment for the overall Policy Impact Assessment; 2) a subsequent gender-specific Policy Impact Assessment to analyse proposed revisions; and 3) A gender mainstreaming report. These were supported by Australia's Investing in Women's Initiative in partnership with UN Women Viet Nam.

292 World Bank. 2019. *How to Design the Vietnam Labor Code to Improve Gender Equality*. Washington DC: World Bank.

293 Urbano, M., Hodges J. & Than, TH. (2018). 'Labouring under false assumptions? Exploring the rifts between international standards and cultural values in Vietnam's Labour Code reform in ILO.' in *Game changers: Women and the future of work in Asia and the Pacific*. Bangkok: ILO.

Institute for Studies of Society, Economy and Environment (iSEE).

**Renewed retirement age debate.** The principal focus of the debate was closing the existing gender gap in the mandatory retirement age from 55 years for women and 60 years for men. The retirement gap was tied to the question of raising the pension age, in the light of pressures on the liquidity of the social pension fund. With World Health Organization estimates of healthy years of life expectancy in Viet Nam being 73.8 years for men and 76.1 years for women, the World Bank highlighted the 'significant' scope for men and women to work beyond the age of 60 years. The World Bank undertook a cost-benefit

analysis of scenarios to jointly increase the age and close the gender gap at retirement. Using demographic projections aligned with MOLISA's incremental timetable for raising the retirement age, the analysis found that the benefits equated to a benefit of 1.51 per cent of GDP at the 33-year mark, if men retired at 62 and women at 60 years. The GDP gain was 1.89 per cent if both retired at 62 years.<sup>294</sup> Government and public debate has been long standing on this issue. However, public opinion was divided, in part due to the perspective that women should be entitled to retire and access their pension earlier, on account of their double reproductive and productive role. Enabling women to acquire skills suitable to their 'physiological characteristic and their motherhood functions'<sup>295</sup> was encoded in the 2012 law and reflects a strong public sentiment.

The Labour Code 2019 introduced several significant reforms favourable to equality at work. These included:

- a reduction in the retirement age gap between men and women from 5 to 2 years, albeit maintaining a gap and with a roadmap for women's increased age not being reached until 2035;
- removal of the list of 77 heavy and hazardous occupations, 38 of which had been prohibited on the basis of sex and an additional 39 types of jobs were prohibited for pregnant women and women with children under 12 months;<sup>296</sup>
- extending carer's leave to all employees, not just female employees;
- a more specific definition of sexual

harassment, with wider application to any site of work (including events, field trips), and the specification of employer obligations; and

- explicit protection of an equal wage for work of equal value.<sup>297</sup>

Workers 'without labour contracts' are covered by the new law, but provisions tailored to the circumstances and categories of informal workers, both women and men, are still needed. Regulation of home-based work, which is primarily performed by women, equivalent to the explicit and strong protections for part-time workers also remains to be done.<sup>298</sup>

### **New rights embedded at implementation.**

Decree 145, passed in December 2020, added specific detail to a number of provisions in Chapter IX on Female Employees and Gender Equality in the amended Labour Code. Regarding day care centres and kindergartens, Decree 145 includes direction to Provincial Peoples' Committees to facilitate the land, loans/investment and administrative procedures to construct kindergarten and day care centres in worker-populated areas, including industrial zones, with equivalence in benefits given to the centres, students and teachers as provided to independent or private centres. Employers are also required to plan for financial assistance for workers' day care costs.<sup>299</sup> On anti-sexual harassment, Decree 145 expands upon the employer, employee and employee representatives' obligations for preventing and combating sexual harassment. It provides a more detailed list of prohibited acts (including verbal and non-verbal), as

294 World Bank. 2019. op. cit.

295 Article 153 (5) of the Labour Code 2012

296 Article 160, *Labour Code 2012*; MOLISA. 18 October 2013. *Circular Promulgating the List of Jobs in which the Employment of Female Workers is Prohibited*. No. 26/2013/TT-BLĐTBXH

297 This list and the text box also draws on a World Bank staff assessment of the *Labour Code (2019)*, and *World Bank Group. 2019 How to Design the Vietnam Labor Code to Improve Gender Equality*. Hanoi: World Bank.

298 Article 32 of the Labour Code 2019. Reform proposed in World Bank. 2019. *How to Design the Vietnam Labor Code to Improve Gender Equality*. Washington DC: World Bank.

299 Chapter IX, Section 2, Articles 81-83

well as the ‘locations’ covered as work-related sites, including conferences, training, meals and phone communications. The Decree also specifies reporting and disciplinary measures, and a provision for victim compensation and remedies.<sup>300</sup> With an ILO study from 2019 finding that nearly half (43 per cent) of the garment factory workers surveyed had experienced at least one act of violence or harassment in the previous year, this was a much needed area for reform.<sup>301</sup> In part, the improved sexual harassment provisions reflect the long-term joint work by UN Women, CARE International, GIZ and an NGO Nutrition Network (‘SUN’), which provided timely evidence and advice to build the political commitment of key government stakeholders.

Significantly, Decree 145 also includes extensive direction on protections and obligations of contracted domestic workers and their employers, clarifying conditions for an isolated and therefore more vulnerable group of women workers. It does not cover the especially precarious conditions of informally engaged/unregistered domestic workers, who have been estimated as representing close to 90 per cent of all domestic workers.<sup>302</sup>

**Recommendations.**

- Undertake both routine monitoring and in-depth research into the impact of COVID-19 on women’s participation in the economy, as workers and business owners of all firm sizes, including both formal and informal participation.
- Develop policy and sectoral programs to address gender barriers to participating

300 Chapter IX, Section 3, Articles 84-87  
 301 ILO. 2018. Promoting Better Work for Women in Viet Nam’s Garment Sector cited in International Labour Organization (ILO) and Investing in Women. 2020. *Leading to Success: The business case for women in business and management in Viet Nam*. Hanoi: ILO.  
 302 Based on a study undertaken in 2013, cited in UN Women. 2016. *Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women*. Hanoi: UN Women.

in the economy, particularly unpaid care work and limited access to skills training.

- Equalise the retirement age between men and women.
- Enhance regulation and employee obligations that cover home-based and part-time workers, who are overwhelmingly women.

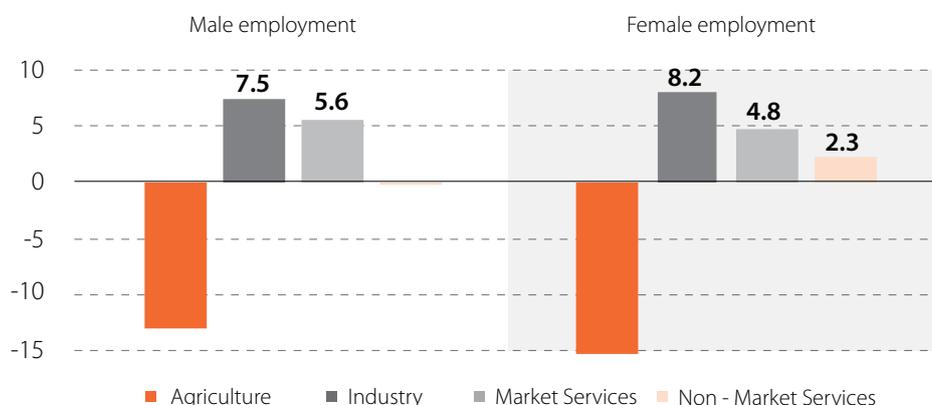
**5.2 LABOUR FORCE PARTICIPATION**



**Viet Nam’s economic transformation has led to a substantial labour market shift for women and men.** Đổi Mới in the late 1980s largely replaced the former centrally planned system with market mechanisms, it promoted economic diversification and private sector development, and opened the economy to trade and international markets. This led to a rapid expansion of manufacturing and service industries, which quickly became the primary source of job creation. Paid employment and higher earnings attracted a large share of workers away from agriculture, in a shift that is on-going. Agriculture was the largest employer when the country introduced *Đổi Mới*. In the 10 years before the COVID-19 outbreak, Viet Nam witnessed an overall reduction in agricultural employment by 14 percentage points, accompanied by a corresponding increase in employment in industry and services. Figure 18 below illustrates this trend by showing the change in the distribution of female and male employment by broad economic sector. The shift from agriculture to industry and services, which began in the 1980s, has continued to transform the labour market over the past decade. Women



FIGURE 18: CHANGE IN EMPLOYMENT DISTRIBUTION BY ECONOMIC SECTOR, 2010-2019



Sources: Viet Nam's Labour Force Survey.<sup>304</sup>

experienced a more pronounced redistribution than men in this period, with a reduction in agricultural employment of 15.3 percentage points and increases in employment in industry and services of comparable magnitudes (8.2 and 7.1 percentage points, respectively). In addition, female employment in non-market services<sup>303</sup> increased by 2.3 percentage points, while the change in male employment appears negligible in this sector.

**Today, women are more likely to be employed in subsistence agriculture than men.** Only 10 years ago, agricultural employment accounted for more than one-half of working women in Viet Nam. Today this is no longer the case. In 2019, agriculture accounted for 36.1 per cent of female employment. The services sector taken together (i.e. market and non-market) represented the largest sector of employment

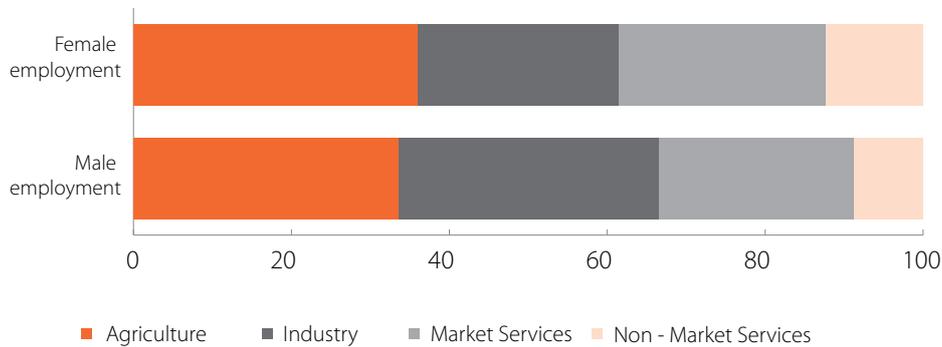
for women in relative terms (36.8 per cent), while roughly one quarter (25.4 per cent) worked in the industrial sector, almost all of them in manufacturing<sup>305</sup>. Male employment on the other hand was more evenly distributed, with each sector absorbing exactly one-third of the male labour force. This means that, despite the trends described above, employed women are only marginally more likely than men to be working in agriculture. There is however an important difference between the situation of men and women employed in this sector. The majority (85.9 per cent) of women in agricultural employment are primarily involved in *subsistence* agriculture. The corresponding share in male agricultural employment is 59.2 per cent.

303 According to the International Standard Industrial Classification, Market Services include Trade, Transportation, Accommodation and food, and Business and administrative services, while non-Market Services include Public administration, Community, social and other services and activities.

304 Based on the ISIC Rev. 4. Agriculture refers to ISIC Rev. 4 category A. Industry refers to ISIC Rev. 4 categories B to F. Market services refer to ISIC Rev. 4 categories G to N. Non-market services refer to ISIC Rev. 4 categories O to U.

305 Almost all women (91.2 per cent) in the industrial sector worked in manufacturing, compared to just over one-half (54.5 per cent) of men. Women also represented 54.5 per cent of the sector's employment.

FIGURE 19: EMPLOYMENT DISTRIBUTION BY ECONOMIC SECTOR, 2019



Sources: Viet Nam's Labour Force Survey

**Labour market participation of women is remarkably high in Viet Nam compared to the global average.** In 2019, 70.9 per cent of Viet Nam's working-age women were in the labour force. The corresponding rate at the global level was 47.2 per cent, and the rate for Asia and the Pacific even lower, at 43.9 per cent. In addition, not only is the participation of women in Viet Nam's labour market high in absolute terms, but it is also the case when compared to that of men. The participation gap between men and women in Viet Nam has averaged at 9.5 percentage points over the last decade. In the whole of Asia-Pacific region, the average in the same period has been over 32 percentage points.<sup>307</sup>

**However, while the gender gap in labour force participation is narrower in Viet Nam than the global and regional average, it does still exist.** Women participate in the labour force at a lower rate than men, and the reason for this gap is likely to be the uneven gender division of labour in family responsibilities in Viet Nam society. The 2018 Labour Force Survey showed that 47.5 per cent

of women who were not economically active had made this choice due to 'personal or family-related reasons' as opposed to 18.9 per cent of inactive men. Despite their high labour market participation overall, women in Viet Nam still face unequal opportunity to engage in economic activity compared to men.

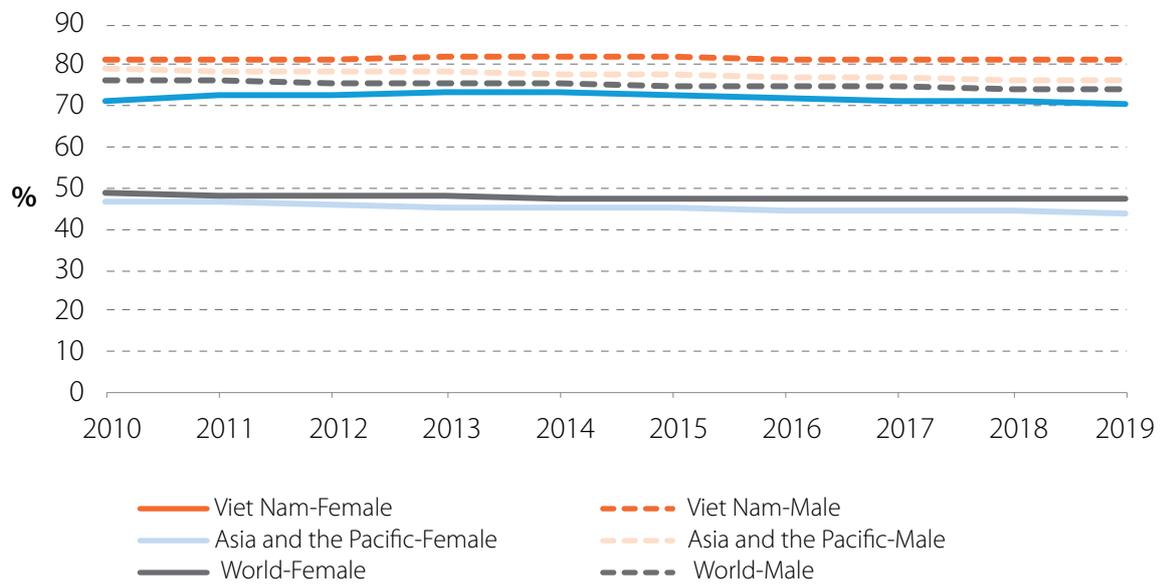
**In Viet Nam's labour market before COVID-19, there was no significant gender-based difference in unemployment rates.**<sup>308</sup> The labour force consists of two groups of working-age individuals: the employed and the unemployed. An analysis of unemployment rates by gender over the past 10 years show that until 2019, women faced low unemployment, and there was no evident gender pattern. The female unemployment rate was higher than the male rate in some years, and lower in others, but the difference was never substantially significant.

306 Based on the ISIC Rev. 4. Agriculture refers to ISIC Rev. 4 category A. Industry refers to ISIC Rev. 4 categories B to F. Market services refer to ISIC Rev. 4 categories G to N. Non-market services refer to ISIC Rev. 4 categories O to U.

307 Statistics available at <https://ilostat.ilo.org/>.

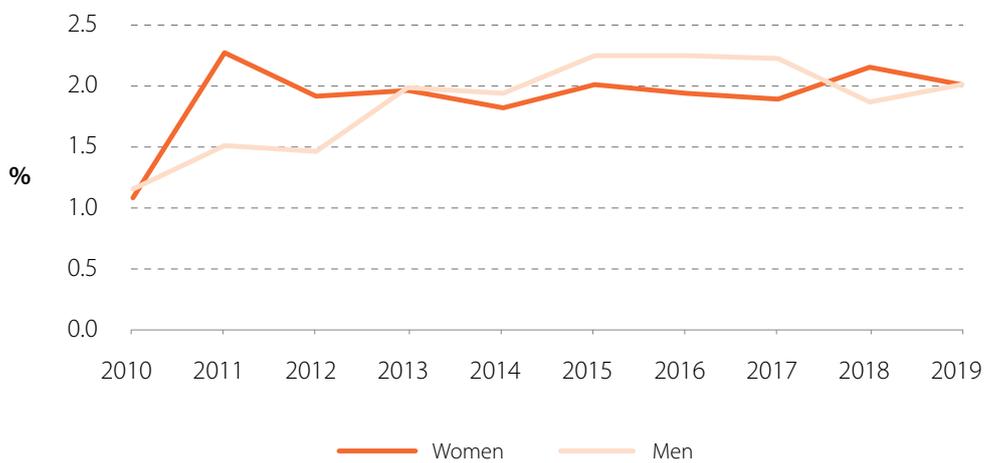
308 This report uses Viet Nam's national definition of unemployment. The internationally agreed definition of unemployment (adopted by the 19th International Conference of Labour Statisticians in 2013) classifies as unemployed all people of working age who are not in employment, who are carrying out activities to seek employment and are currently available to take up employment. Viet Nam's national definition of unemployment includes, in addition to all the groups mentioned above, people not in employment and available but not seeking employment due to the off season, bad weather, effects of the environment, family obligations, relaxing, temporary illness or injury, or other reasons.

FIGURE 20: LABOUR FORCE PARTICIPATION RATES BY GENDER IN VIET NAM, THE REGION AND GLOBALLY, 2010-2019



Sources: Viet Nam's Labour Force Survey and ILO modelled estimates, 2020

FIGURE 21. UNEMPLOYMENT RATE BY GENDER, 2010-2019<sup>309</sup>



Sources: Viet Nam's Labour Force Survey.

309 Sustainable Development Goal (SGD) indicator 8.5.2

FIGURE 22: EMPLOYMENT DISTRIBUTION BY EMPLOYMENT STATUS AND GENDER, 2019



Sources: Viet Nam's Labour Force Survey.<sup>313</sup>

### An analysis of employment status reveals significant areas of female disadvantage.

The country's sizeable informal economy plays an important role in creating easy access to income-generating opportunities for women and men, which contributes to a high level of economic activity and low unemployment. However, employment status has a strong impact on job quality and the economic risks faced by workers. For example, jobs in the informal economy are unprotected and informal workers can face significant poverty and occupational risk.<sup>310</sup> To address these issues, the 2019 Labour Code which entered into force in January 2021, lays the foundation for an expansion of labour protections beyond that of formal employees.

At present, men are more likely to be in informal employment than women (the informal employment rate in 2019 was 67.2 per cent among women, and 78.9 per cent among men).<sup>311</sup> However, women are overrepresented

among an especially disadvantaged category of informal workers, that of contributing family workers that is associated with particularly high risks of intensive work hours and none or irregular remuneration.<sup>312</sup> In contrast, the status of *employee* is typically associated with a degree of job stability resulting from the attachment to an employer. This is also referred to as *paid employment* because employees may also count on a certain reliability of earnings, since their income usually does not depend entirely on the profit or loss of the organisation. As shown in Figure 22, 43.1 per cent of employed women are employees, compared to 51.4 per cent of employed men.

310 OECD and ILO. 2019. *Tackling Vulnerability in the Informal Economy*. Paris: Development Centre Studies, OECD Publishing.

311 This report is applying the international definition of informal employment. Viet Nam's definition does not include household-based agriculture employment.

312 ILO. 2018. *20th International Conference of Labour Statisticians, Resolution concerning statistics on work relationships* Geneva: ILO [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms\\_648693.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_648693.pdf).

313 Note: Based on the ICSE-93. ICSE-93 category 4. Members of producers' cooperatives is not included in the chart since it represents less than 0.2 per cent of employment all years under review.

FIGURE 23. PREVALENCE OF PAID EMPLOYMENT AND VULNERABLE EMPLOYMENT, 2010-2019



Sources: Viet Nam's Labour Force Survey.<sup>315</sup>

**Own-account workers and contributing family workers face greater economic risks<sup>314</sup>.** Own-account workers are those in self-employment but without employees. Their income depends directly on the profits made by their own economic output. More than 92 per cent of own-account workers in Viet Nam have no access to social protection. Contributing family workers, on the other hand, assist a household member in a market-oriented establishment. They do not receive regular payments in return for the work performed and are, *by definition*, informal. Taken together, these two categories constitute *vulnerable employment*. Figure 22 shows vulnerable employment in shades of blue. It emerges clearly from the chart that women face a greater likelihood of being in vulnerable employment than men. If we analyse the two components of vulnerable employment, we observe that own-account work is directly comparable between women and men in Viet Nam. However, women are more than twice as likely to be contributing

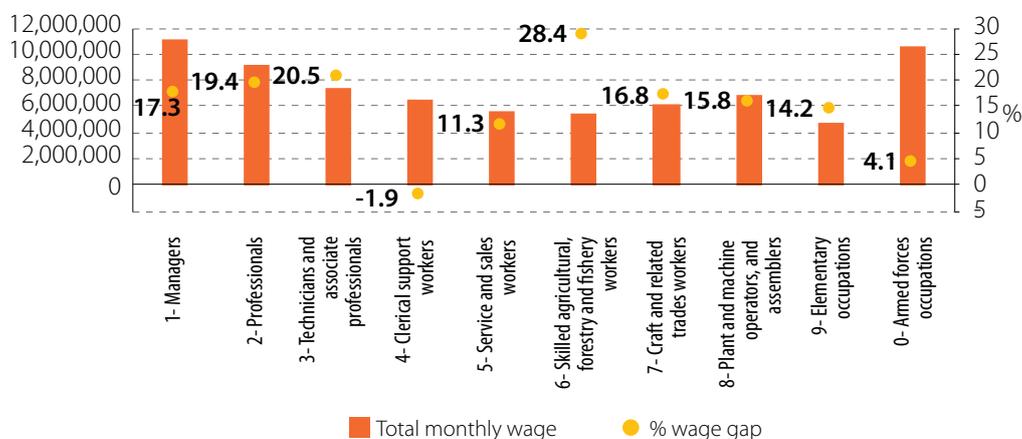
family workers. In 2019, 65.8 per cent of contributing family workers in Viet Nam were women. They represented almost one quarter (24.1 per cent) of rural female employment, as opposed to one-tenth (10.7 per cent) of male rural employment.

**Gender gaps in vulnerable employment have been stable over time.** As discussed, since *Đổi Mới*, Viet Nam's economic transformation led to an expanding share of employment in services and manufacturing. Paid employment has been steadily expanding, while vulnerable employment has experienced a downward trend. Noticeably, it is only over the last decade, that vulnerable employment, as a proportion of total employment, decreased by 13 per cent, while paid employment increased by 14 per cent. However, Figure 23 illustrates that these trends have not been matched by a corresponding reduction in gender inequality. Thus, unsurprisingly, since 2010 the overrepresentation of men in paid employment and that of women in vulnerable employment have remained remarkably stable.

314 Own-account workers hold a self-employment job without employees. Contributing family workers assist a household member in a market-oriented enterprise and do not receive regular payments in return for the work performed.

315 Based on the ICSE-93. Paid employment refers to ICSE-93 category 1. Employees. Vulnerable employment refers to ICSE-93 categories 3. Own-account workers and 5. Contributing family workers.

FIGURE 24. AVERAGE MONTHLY WAGES OF EMPLOYEES AND PAY GAPS BY OCCUPATION, 2019 (VND)



Sources: Viet Nam's Labour Force Survey.

**On average, women in Viet Nam earn less than men.** The principle of equal pay for work of equal value is an important aspect of equality in the world of work, as emphasized by SDG 8.5. Viet Nam made a commitment to pursue this principle when it ratified ILO Convention No. 100, on Equal Remuneration. In 2019, the weighted gender pay gap<sup>316</sup> based on monthly wages was 13.7 per cent. This is relatively low compared to the latest global figure (20.5 per cent)<sup>317</sup>. However, three observations need to be made. First, Viet Nam's pay gap, after a decreasing trend until 2015, increased by an average of 1.2 percentage points each year between 2016 and 2018, before experiencing a moderate decrease in 2019. Second, a disaggregation of the overall gender pay gap based on monthly

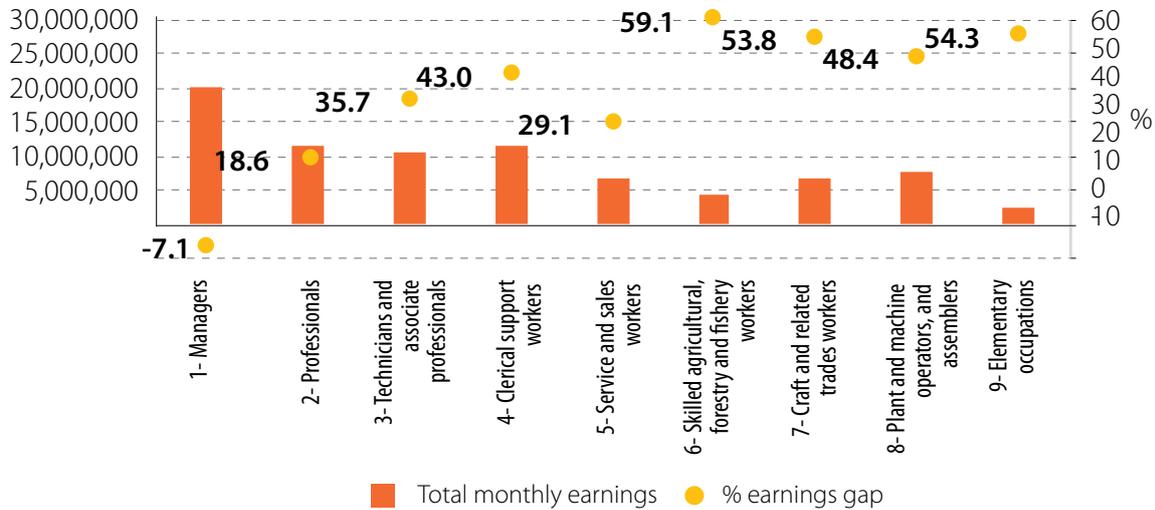
wages by occupation reveals areas of female disadvantage well beyond the scale of the national indicator. Figure 24 demonstrates that female employees in most occupations face pay gaps up to twice as great as the aggregate value.

The third observation is that the category of employee, as discussed earlier in this chapter, is where economic risk is *relatively* lower, and earnings *relatively* stable, compared to other types of employment. To have a more comprehensive picture of pay gaps, it is necessary to also analyse the earnings of the self-employed. This group is far more heterogeneous, and it includes vulnerable workers. It therefore accounts for the majority of Viet Nam's labour force. The information in Figure 25 indicates that the difference in earnings between self-employed women and men in Viet Nam occurs especially in those occupations associated with lower levels of educational attainment. Interestingly, when women lead their own business as managers, the earnings, which in self-employment can be considered a reflection of business profits, suggest an economic advantage vis a vis men.

316 The *raw* gender pay gap refers to the difference in pay between women and men at a specific point in time. The *factor-weighted* gender pay gap methodology groups women and men into homogeneous subgroups, and then estimates the gender pay gap in each subgroup, to construct a weighted average of all the subgroups. This methodology reduces the impact of composition effect. The subgroups used in this case are education (four categories), age (four categories), working time arrangement (full-time or part time) and institutional sector of employment (public or private). Combining these gives 64 subgroups.

317 ILO. 2018. *Global Wage Report 2018/19: What lies behind gender pay gaps*. Geneva: ILO

FIGURE 25. AVERAGE MONTHLY EARNINGS OF SELF-EMPLOYED AND PAY GAPS BY OCCUPATION, 2019 (VND)



Sources: Viet Nam's Labour Force Survey.

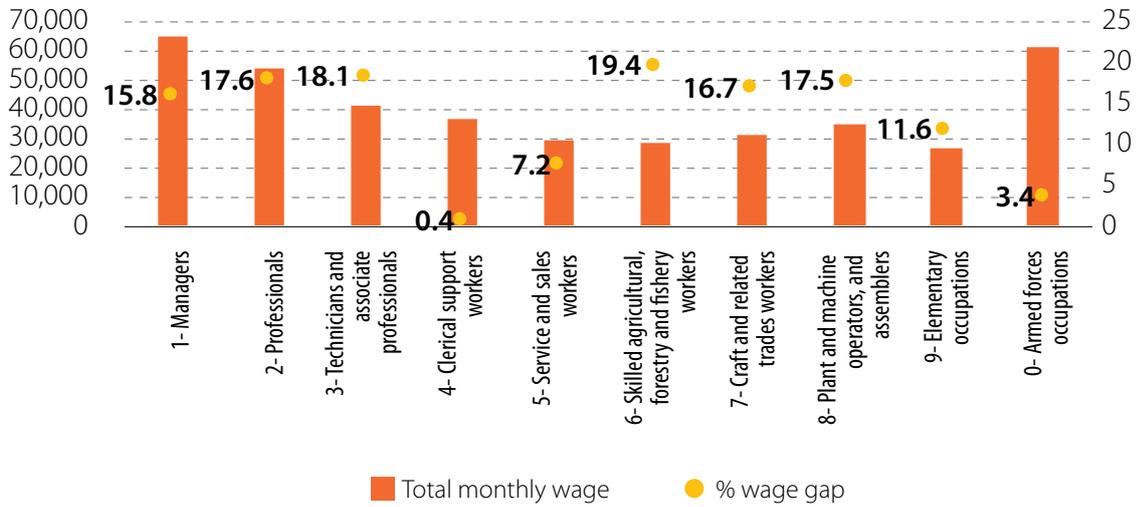
**However, findings on the gender pay gap based on monthly earnings can arguably be deceiving, because they do not account for a difference in working hours.** Globally, women tend to work shorter hours in their employment than men, due to their significantly higher engagement in unpaid productive work at home. To eliminate the effect of these differences in working hours, Figures 26 and 27 below offer a gender disaggregated diagram of hourly earnings<sup>318</sup>, rather than monthly. The expected reduction in pay gaps is visible if we compare Figures 25 and 26, but rather moderate in most occupations. This suggests that working hours are not the principal reason behind the gender pay gap among employees.

The difference between monthly and hourly gaps is more pronounced among the self-employed. The values are shown in Figure 26. This is not surprising, since we expect more diversity in 'hours worked' among workers in this group. Once we remove the effect of the

number of hours worked, the pay gap results halved or nearly-halved in occupations where earnings are more directly proportional to number of hours worked (such as *technicians and associate professionals*, or *clerical and support workers*). Still, in four occupations men earn nearly twice the average hourly rate as women. Since the self-employed include vulnerable workers, the findings suggest that disadvantaged women face a higher pay gap than women who have less economically vulnerable jobs.

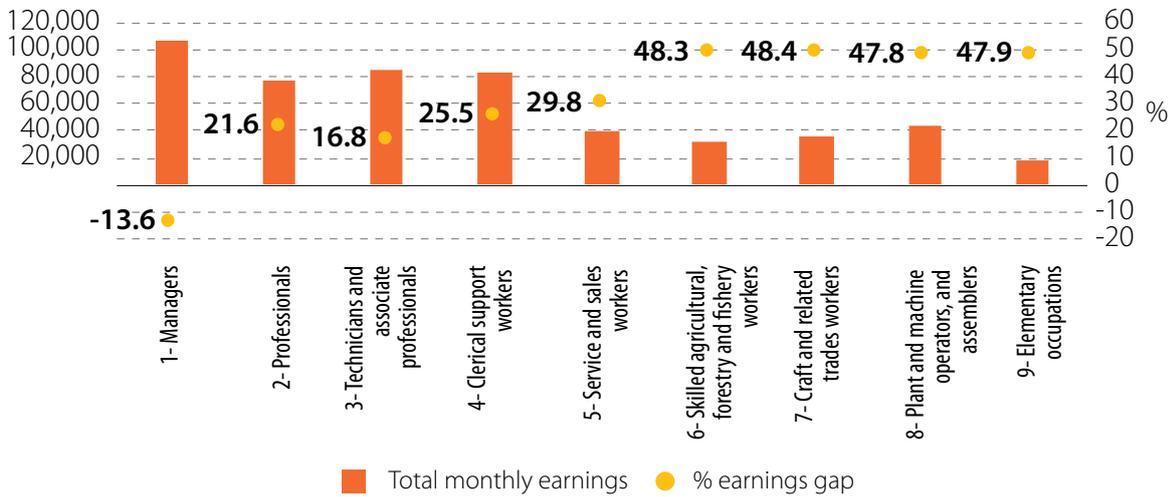
318 SDG Indicator 8.5.1

FIGURE 26. AVERAGE HOURLY WAGES OF EMPLOYEES AND PAY GAPS BY OCCUPATION, 2019 (VND)



Sources: Viet Nam's Labour Force Survey.

FIGURE 27. AVERAGE HOURLY EARNINGS OF SELF-EMPLOYED AND PAY GAPS BY OCCUPATION, 2019 (VND)



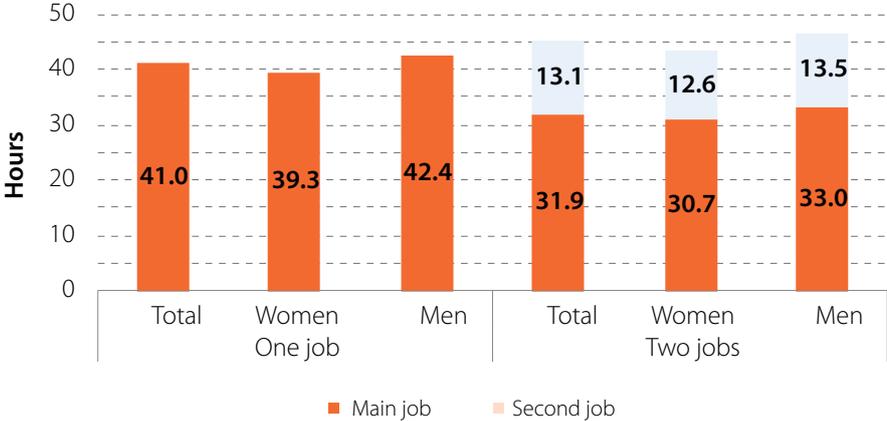
Sources: Viet Nam's Labour Force Survey.

**This analysis indicates that pay gaps in Viet Nam cannot be explained by a difference in the hours worked between women and men.** In fact, further evidence in support of this statement comes from the observation that women’s working hours are actually very similar to that of men. An analysis of hours spent in employment by gender reveals that they are remarkably similar. Figures 28 and 29 illustrate this. The first chart highlights workers who hold one job as opposed to two jobs, to

reflect the reality of Viet Nam where individuals systematically resort to engaging in multiple jobs to reach a higher income level.<sup>319</sup> The second chart, on the other hand, focusses on the main job only, and provides a breakdown of average hours worked by employment status. Across all these indicators, the largest observable gap is 3.2 hours a week on average, and it is found among individuals working two jobs.

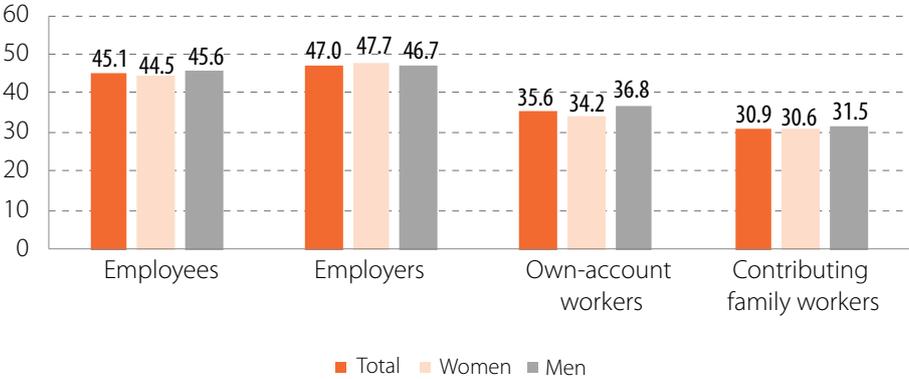
319 ILO. 2019. *Decent Work and the Sustainable Development Goals in Viet Nam*. Hanoi: ILO.

FIGURE 28. AVERAGE WEEKLY HOURS ACTUALLY WORKED IN MAIN JOB AND SECOND JOB, BY NUMBER OF JOBS HELD, 2019



Sources: Viet Nam’s Labour Force Survey.

FIGURE 29. AVERAGE HOURS ACTUALLY WORKED IN MAIN JOB BY STATUS IN EMPLOYMENT, 2019

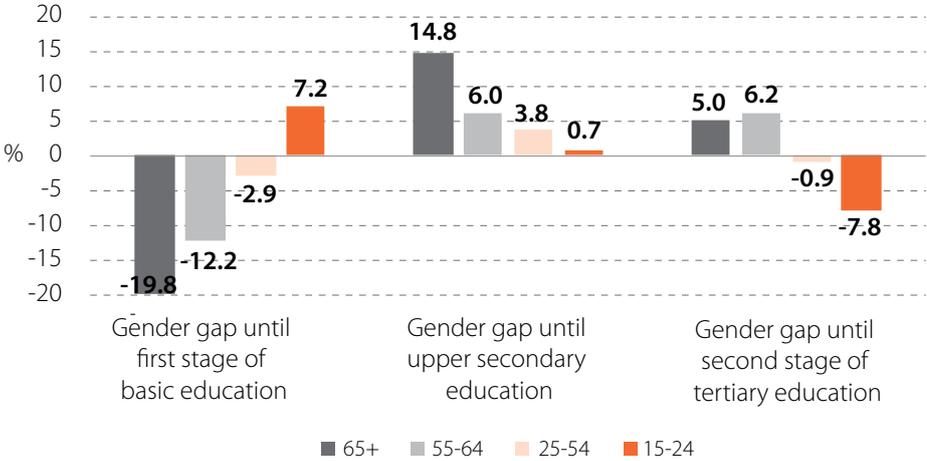


Sources: Viet Nam’s Labour Force Survey.

**The gender pay gaps in Viet Nam cannot be explained by any visible difference in educational attainment either.** An analysis of the labour force by education and age reveals two positive trends towards gender equality: on the one hand, the female labour force is increasingly well-educated. On the other, gender gaps in educational attainment have been narrowing. Figure 30 reveals the difference in educational achievement between men and women in the labour force, by age. Positive values indicate that men are more likely than women to have completed a specified level of education at most. The opposite applies to negative values. It emerges that among older workers, there is a visible education gap revealing male advantage.

Women are significantly more likely to have completed primary education at most. At the same time, among older workers, men are more likely to have completed secondary education and above. This picture changes rapidly when we analyse younger cohorts. The education gap is narrow among prime-age workers (25-54) and it reverses among youth. The average probability that a young woman between 15 and 24 years of age has completed higher education is greater than that of her male counterparts. On the other hand, young men have a higher probability to have primary education as the highest level reached. Virtually no gender discrepancy is visible on secondary education in this cohort.

FIGURE 30. GENDER DISPARITIES IN EDUCATIONAL ATTAINMENT IN THE LABOUR FORCE, BY AGE, 2019

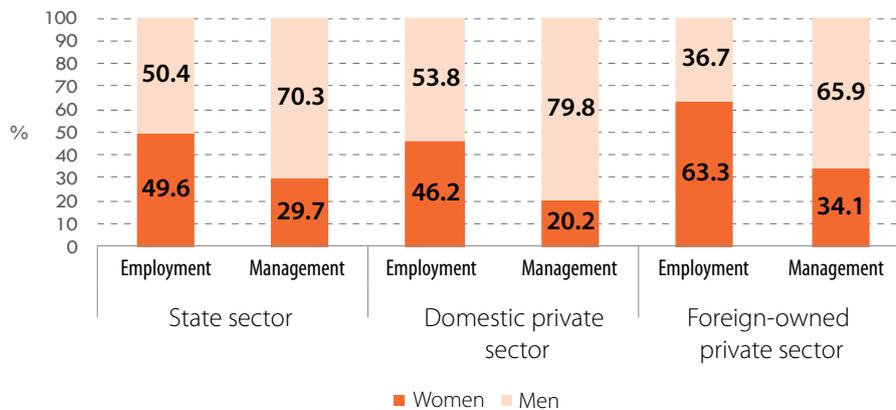


Sources: Viet Nam's Labour Force Survey

Note: Based on the ISCED-97<sup>320</sup>

320 International Standard Classification of Education

FIGURE 31. FEMALE SHARE IN TOTAL EMPLOYMENT AND MANAGEMENT, BY OWNERSHIP OF UNITS, 2019



Sources: Viet Nam's Labour Force Survey.

**The elimination of gender gaps in education has not translated into a comparable narrowing of gender gaps in employment quality, earnings, or decision-making jobs.** Especially striking in Viet Nam is the imbalance between women's level of engagement in the labour market and the share of leadership positions that they occupy. In 2019, women accounted for almost one-half (47.7 per cent) of the labour force, but less than one quarter (24.7 per cent) of overall management roles. While this is an average figure overall, it is interesting to investigate if the share of women in management varies with the characteristics of enterprises. Figure 31 illustrates this indicator<sup>321</sup> with a breakdown by ownership of economic units, and it shows visible differences between state, domestic and foreign-owned private units. The domestic private sector has the lowest average share of female managers. The foreign-owned private sector has the largest, but it is still far from offering a balanced context. Employment in this sector is predominantly female (63.3 per cent of workers in foreign-owned companies

are women), but the share of female managers is just over one-third (34.1 per cent).

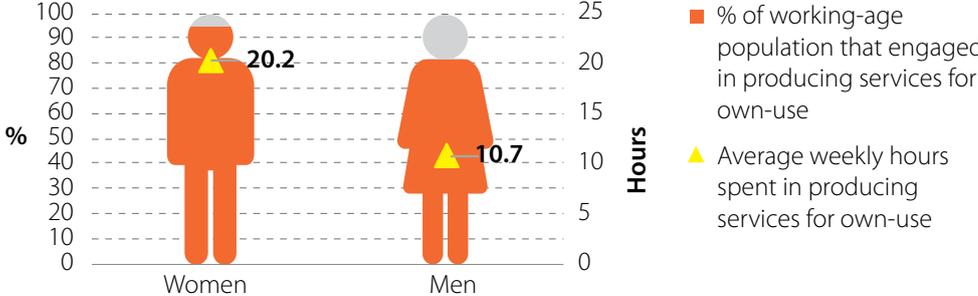
**The gap women face in employment quality and career development stems from the double burden they carry.** As discussed above, such a gap is not due to women having lower qualifications, or a lower level of engagement in the labour market or working significantly less hours. Rather, it is unrealistic for women to pursue stable jobs, career opportunities or skills upgrading with any degree of continuity, while they shoulder a disproportionate amount of household responsibilities. This double burden is apparent from an analysis of weekly hours spent by individuals in household-related work, as opposed, or we should say in addition to the hours spent in paid employment. This information was available in Viet Nam from 2019, when the General Statistics Office integrated specific questions to understand how women and men use their time into its Labour Force Survey.

321 SDG indicator 5.5.2

**Women on average spend twice as many hours as men working to produce 'services for own/family use'.** These include activities such as cleaning the house, washing clothes, cooking and shopping, family care, and childcare. In addition, almost all women spend at least some time in these activities on a weekly basis, while a much lower proportion of men do, and close to 20 per cent of men reported they do not spend any time in these activities at all. Among those individuals who

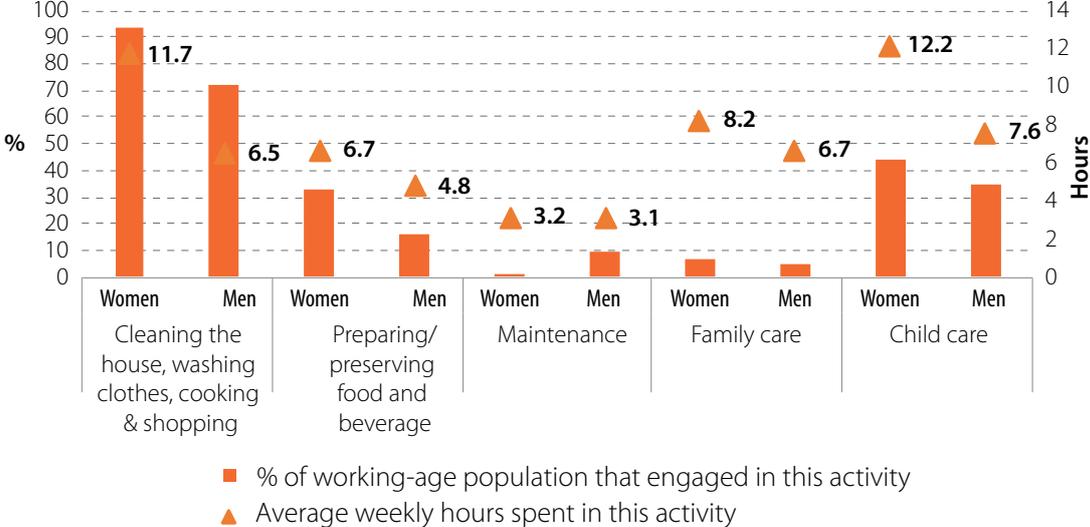
engaged in such activities, women spent an average of 20.2 hours a week on them, and men an average of 10.7 hours. Figure 32 illustrates these results, while Figure 33 shows a breakdown by type of service. The bulk of working hours required by each of these activities falls systematically and almost exclusively on women. With the only exception being household maintenance, they are also more likely to take up these activities in the first place.

FIGURE 32. SHARE OF WORKING-AGE POPULATION WHO SPENT TIME PRODUCING SERVICES FOR OWN-USE, AND AVERAGE WEEKLY HOURS SPENT, 2019



Sources: Viet Nam's Labour Force Survey.

FIGURE 33. SHARE OF WORKING-AGE POPULATION WHO SPENT TIME PRODUCING SERVICES FOR OWN-USE, BY SPECIFIC SERVICE AND AVERAGE WEEKLY HOURS SPENT, 2019



Sources: Viet Nam's Labour Force Survey.

**Pre-COVID-19 conditions.** What has been described in this section so far refers to Viet Nam's labour market before the COVID-19 crisis hit the country. The pandemic has had a devastating impact on economies and labour markets globally, through both direct and indirect channels. *Direct channels* include the introduction of policy that governments have had to make in order to limit the spread of the virus. Examples of these policy decisions in Viet Nam include, among others, the temporary closure of all non-essential businesses across the country between March and early April, which made it impossible to work for all those employed in these establishments. *Indirect channels*, on the other hand, are the result of similar policy decisions made by other countries. These decisions have an impact on Viet Nam's economic output as well as on the Vietnamese labour market. For example, most of Viet Nam's top export partners have had to impose social distancing and workplace closures throughout this year to contain infection levels. This has led to a reduction in the demand for Vietnamese products, having a negative impact on economic performance and jobs in key export sectors.

**One of the most visible effects of the pandemic on labour markets across the world, including Viet Nam, has been a reduction in working hours.** Due to COVID-19, workers have faced a range of challenges affecting their ability to work, including the forced reduction of daily hours of paid work, job rotations, furlough and ultimately, job losses. An analysis of total hours worked before and after the COVID-19 crisis will help us quantify the disruptive effect of COVID-19 on the ability of women and men to work. The ILO has been monitoring global working hour losses since the first quarter of 2020. In the third quarter of 2020 alone, the world lost an estimated 12.1 per cent of working hours compared to the fourth quarter

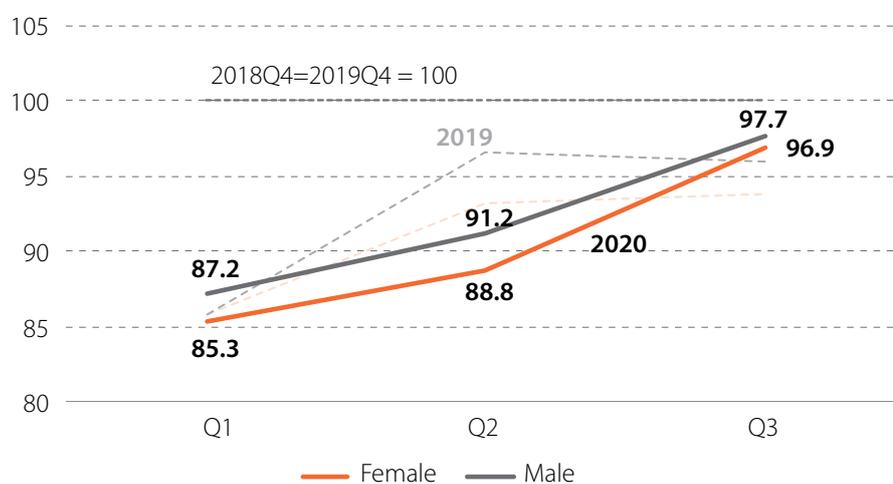
of 2019. This is equivalent to the total hours worked in 345 million full-time jobs.<sup>322</sup>

**Viet Nam's workers faced a severe reduction in working hours during the second quarter of this year, especially women.** Figure 34 illustrates the trends in total hours worked in the first three quarters of 2019 and 2020 compared to the fourth quarters of 2018 and 2019, respectively. Total hours worked in Viet Nam are usually highest in the fourth quarter of any year, due to increased economic activity in the lead up to Tet. They typically drop off in the first quarter when families are celebrating Tet. Working hours indeed dropped throughout 2019 compared to the more dynamic, last quarter of 2018. The 2020 data displayed in the chart, on the other hand, shows the impact of the pandemic. Working hours in the second quarter of 2020 were much lower than seasonality might account for. This corresponds with Viet Nam's closure of non-essential businesses between March and April, school closures, and severe lockdowns in countries that serve as Viet Nam's export partners.<sup>323</sup> During that period, for millions of workers in Viet Nam, men and women alike, it became impossible to work. However, the impact of the restrictions was not evenly distributed by gender. Total weekly hours worked by women were 88.8 per cent of the total for the fourth quarter of 2019. Men, on the other hand, worked 91.2 per cent of the total weekly hours worked in the fourth quarter of 2019. Interestingly, though, in the third quarter women's working hours recovered faster than those of men. The following paragraphs will analyze these findings in more detail and provide an analysis of the labour market dynamics behind them.

322 This calculation is based on a 48-hour working week.

323 ILO. April 2020. *COVID-19 and the labour market in Viet Nam*. Available at: [https://ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/briefingnote/wcms\\_742134.pdf](https://ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/briefingnote/wcms_742134.pdf)

FIGURE 34. PROPORTION OF TOTAL HOURS WORKED COMPARED TO THE FOURTH QUARTER OF THE PREVIOUS YEAR, 2019 AND 2020



Sources: Viet Nam's Labour Force Survey.

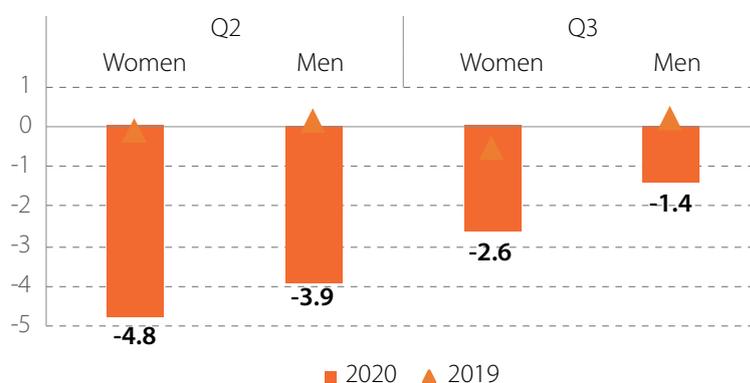
**Lower labour force participation was a determinant of the reduction in working hours in the second quarter, with larger numbers of women than men leaving the labour force, increasing Viet Nam's gender participation gap.** The first part of this chapter discussed the respective levels of labour force participation of women and men until 2019. Although women were relatively active in the labour market compared to other countries in the region, or those at the same income level as Viet Nam, a gender gap was still visible. Since the advent of COVID-19, labour force participation fell sharply for both women and men, but women experienced the greater fall. The bars in Figure 35 show the changes in participation rates in 2020 compared to the last quarter of 2019. Women's participation dropped by 4.8 percentage points in the second quarter, down to 66.2 per cent, while men's fell 3.9 percentage points to 77.4 per cent. Therefore, women worked fewer hours in the second quarter because more than one million women became 'inactive'.

This means that they either stopped working, did not look for new employment or were not available to work, or both.

**The recovery in working hours in the third quarter coincided with workers coming back to the labour force. However, participation levels remained lower than in 2019, and the gender-based participation gap was the most significant in a decade.**

The participation rate of women increased to 68.3 per cent and for men it increased to 80.0 per cent. However, the gap at the end of the third quarter stood at 11.6 percentage points in favour of men, up from an average of 9.5 over the past decade. By way of comparison, the triangle marker in Figure 35 reveals the change in labour force participation rates in the second and third quarter of 2019, compared to the end of 2018. The seasonal variations, whether positive or negative, were minimal, and well below one percentage point.

FIGURE 35. CHANGE IN THE LABOUR FORCE PARTICIPATION RATE COMPARED TO THE FOURTH QUARTER OF THE PREVIOUS YEAR, 2019 AND 2020



Sources: Viet Nam's Labour Force Survey.

**Younger and older women account for the bulk of those who left the labour force during the second and third quarters of 2020.**

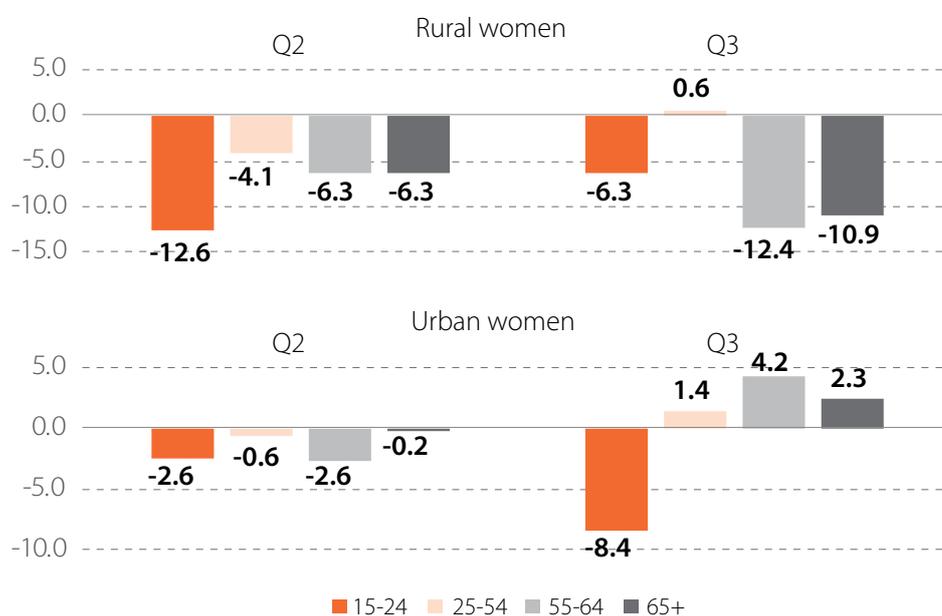
Those women between 15 and 24 years of age, as well as those from 55 years of age, now account for 24.7 per cent of the labour force, whereas in 2019 they accounted for 28 per cent. Figure 36 investigates the change in female participation by age and geographic location. Older women are especially likely to have left the labour force in rural areas. This trend started in the second quarter and continued through the third quarter. Younger women, on the other hand, have been especially affected by the COVID-19 crisis in urban areas, with an increased impact noticeable in the third quarter.

These findings are likely to be the result of the multiple vulnerabilities women faced before the pandemic. Younger and older women often hold the least stable types of employment, compared to women in the prime age (25-54) group. In Viet Nam before the pandemic, women aged between 15-24 were 5 per cent more likely to be in informal employment than prime-age women, additionally younger women who are employees were 20 per cent less likely to have a permanent contract of employment. Virtually all women above 55 years of age were

employed informally, since this coincides with the statutory retirement age. When decreased exports and workplace closures dramatically reduced economic output in key employment sectors, including in services and agriculture, these age groups were more exposed to the risk of losing their jobs. An analysis of sectors of employment and the employment status of women between the last quarter of 2019 and the third quarter of 2020 confirms this. The bulk of young urban women who left employment during this period were in unstable jobs in the services sector, while most of the older women in rural areas who stopped working were own-account workers and contributing family workers in agriculture.

In addition, women in these age brackets typically work less hours and earn less. As employees, women aged between 15 and 24 earned 11.7 per cent less than the average for all women, and 50.6 per cent less if they were self-employed. Women aged over 55 earned 32.4 per cent less as employees and 21.4 per cent less if they were self-employed. During the months of the school closures, it is reasonable to imagine that households facing heightened childcare needs would assign these responsibilities to the low-income earners, to have a reduced effect on family finances.

FIGURE 36. CHANGE IN FEMALE LABOUR FORCE PARTICIPATION RATE COMPARED TO THE FOURTH QUARTER OF 2019, RURAL AND URBAN, 2020



Sources: Viet Nam's Labour Force Survey

**Another reason behind the reduction in working hours is an increase in female unemployment, while male unemployment remained stable.** It is important to emphasise that the scale of the increase was moderate, compared to the increase in female inactivity. In the second quarter of 2020, Viet Nam had 120 thousand more unemployed women than in the last quarter of 2019, while 1.8 million more women were 'inactive'. This shows that the increase in joblessness generated by the COVID-19 crisis was mostly due to women leaving the labour force, and to a much lesser extent, to women becoming unemployed. The same scenario applied to men. This is an unsurprising consequence of the nature of the COVID-19 crisis. Countries across the world, and to a lesser extent Viet Nam, have had to reduce their economic activity to ensure social distancing. Under these circumstances, for

most affected workers, it became impossible to work outside of the home<sup>324</sup>, and looking for new employment when lockdown or workplace closure measures are imposed becomes pointless.

**Although levels of female unemployment remained relatively moderate, the COVID-19 crisis has generated a gap in unemployment to the disadvantage of women, which was not there before the pandemic.** In the last quarter of 2019, there was no visible difference between male and female unemployment rates. This applied to both youth and adult unemployment. As the pandemic hit Viet Nam's labour market, its impact on unemployment was clearly uneven across the labour force. Figure 36 shows that women's unemployment rate increased in

324 ILO. 2020. *Monitor: COVID-19 and the world of work*. Second edition. Geneva: ILO.

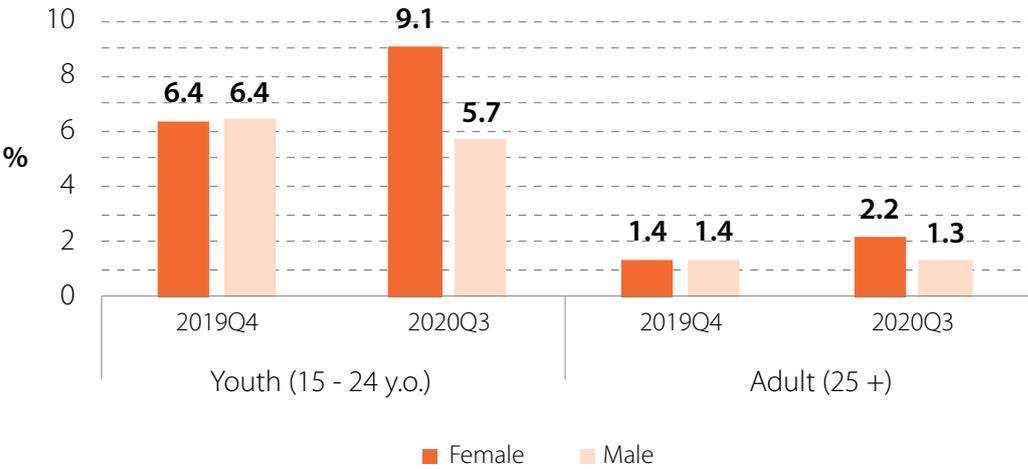
the third quarter of 2020 compared to the fourth quarter of 2019. This means that of the reduced number of women in the labour force in the third quarter of 2020, a higher proportion do not have a job despite being available and actively job seeking.<sup>325</sup> Young women faced the most pronounced increase (2.7 percentage points). Almost one in ten women aged between 15 and 24 who are seeking work and available to start work are unable to find a job. The unemployment rate of adult women increased moderately (less than one percentage point). The male unemployment rate, on the other hand, did not increase. Indeed, the male youth unemployment rate decreased, while for adult males it remained virtually unchanged. A comparison of unemployment rates in the third quarter with those of the same

period in 2019, which eliminates the effect of seasonality, leads to remarkably similar results.

**An analysis of working hours lost by the economic sector in the second quarter of 2020, when the impact of restrictions was felt most acutely, reveals that the consequences of COVID-19 fell most heavily on sectors employing a large proportion of women.** Figure 38 reveals the share of total working hours lost in Viet Nam’s economic sectors, by the number of women employed in them. The chart focuses on paid employment because, as already mentioned, the fall in hours worked among women in vulnerable employment was largely attributable to a reduction in labour force participation in agriculture in rural areas. The X-axis indicates the share of working hours lost in the second quarter of 2020 (when working hours experienced the largest drop) compared to the same period of 2019. The Y-axis measures the share of women employed in

325 As was mentioned above, Viet Nam’s national definition of unemployment (used in this report) also includes those not seeking employment due to the off season, bad weather, effects of the environment, family obligations, relaxing, temporary illness or injury, and some other reasons.

FIGURE 37. UNEMPLOYMENT RATE BY AGE (Q3 2020 VERSUS Q4 2019)



Sources: Viet Nam’s Labour Force Survey.

each sector. The size of the bubble represents the total number of men and women employed in each sector. An association between concentration of female workers and working hours lost emerges clearly from the chart. Economic sectors with relatively higher shares of female employment have experienced an equally high loss of working hours due to the COVID-19 crisis.

It is important to remember that working hours fell in the second quarter for a variety of reasons. Workers faced a compulsory reduction in the duration of their shifts, job rotations, temporary contract suspension, temporary workplace closure, and ultimately, job losses. Through this chapter, we have identified several reasons for these outcomes, including the closure of non-essential businesses during the short national lockdown, the challenges faced by manufacturing enterprises due to lower international demand and order cancellation, and, possibly, the need to give up employment in order to look after children during school closures. Figure 37 below shows the combined result of all these factors.

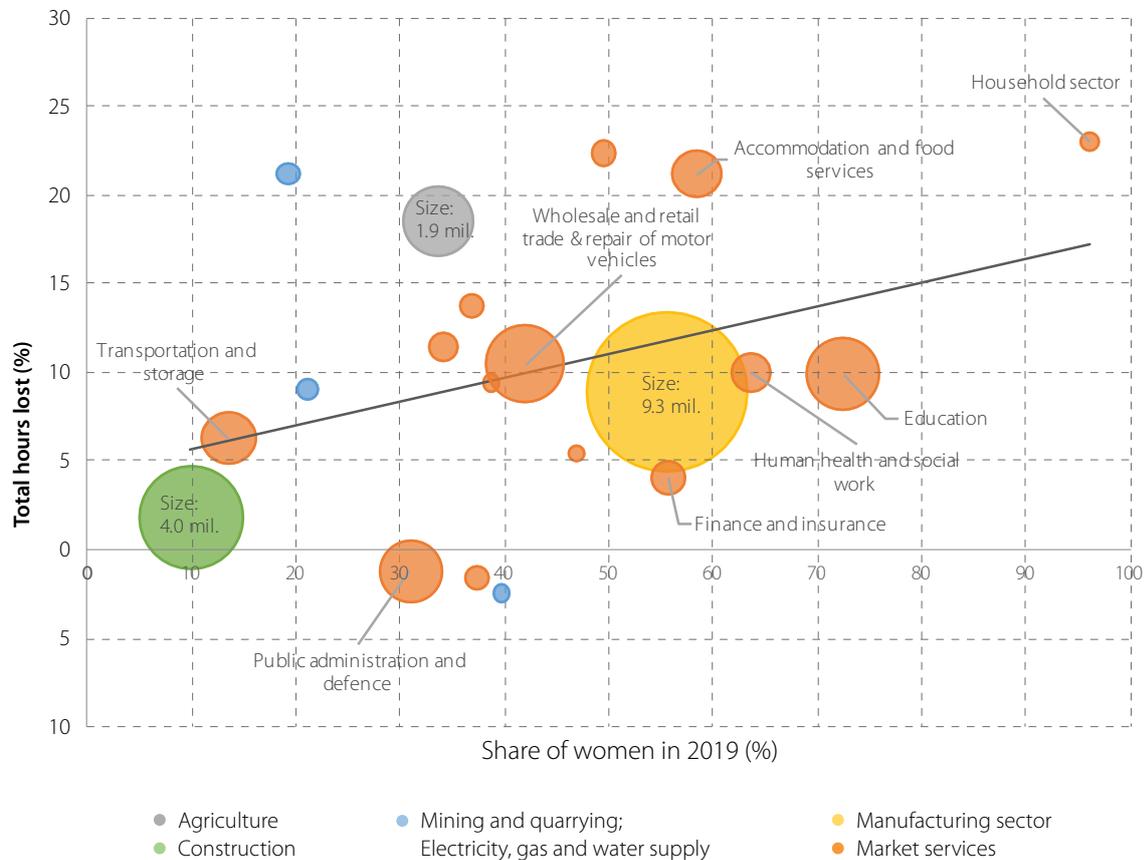
**There was a pronounced reduction in total hours worked by women in paid employment.** As explained above these jobs are associated with a degree of job stability, so this finding is concerning. It is clear from Figure 38 that women in paid employment were more negatively affected than men, as industries with a greater share of women workers saw large percentage reduction in hours worked. Moreover, this impacted on a significant *number* of women, given that the sectors worst affected employ a high proportion of women. In the third quarter our analysis revealed a slight improvement, but it remained the case that men and women in paid employment worked fewer total hours than in the third quarter of 2019. It also remained the case that the sectors employing

the largest share and number of women were most negatively affected. An improvement in these sectors in the long term will be critical to future access to decent jobs for women.

**The manufacturing and service sectors, in particular, experienced significant working hour losses in the second quarter.**

For women in paid employment, jobs in hospitality, household and other service sectors were particularly negatively impacted by the crisis. More importantly for women total hours in the manufacturing sector fell by 9 per cent, affecting approximately 5.1 million women that were in paid employment in this sector in 2019. Within this sector clothing manufacture was particularly badly hit; whereby the total hours worked by women in this industry fell by 14.1 per cent compared to the second quarter of 2019. Women in these sectors are likely to have been exposed to job rotation, temporary contract suspensions, and other arrangements adopted by enterprises to cope with the drop in international and, to a lesser extent, domestic demand. Among women in vulnerable employment, on the other hand, most hours lost were in the agricultural sector in rural areas. This is driven by the fall in female labour force participation mentioned above. By contrast, in the sectors which employ a high proportion of men, especially construction, transportation and storage and public administration and defense, total hours worked either fell slightly, or even increased.

FIGURE 38. PAID EMPLOYMENT: PERCENTAGE OF TOTAL HOURS LOST (BETWEEN Q2 2019 AND Q2 2020) BY SHARE OF WOMEN IN EACH ECONOMIC SECTOR, 2019



Sources: Viet Nam's Labour Force Survey<sup>236</sup>

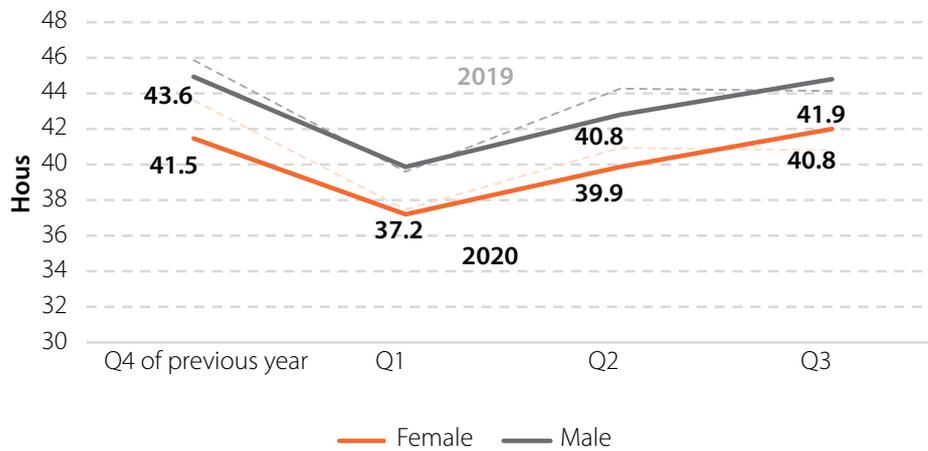
**In the third quarter of this year, those women who were employed worked longer hours than usual, possibly to make up for income losses incurred in the second quarter.** Figure 38 shows that women who were employed in the third quarter of 2020 worked more hours per week on average than in either the third or fourth quarter of 2019. In fact, they worked on average one hour and 8 minutes longer per week in the third quarter of 2020 than in the same period last year. The pattern for men was similar but moderate.

They worked on average 44 minutes longer per week in the third quarter of 2020. Figure 38 above shows that the hours worked by all employed women taken together were significantly higher in the third quarter of 2020 than would have been expected from looking at the evolution of total hours worked in 2019. This indicates that women in employment sought to work more hours as schools and businesses were allowed to reopen.<sup>327</sup>

326 Based on the ISIC Rev. 4. Agriculture refers to ISIC Rev. 4 category A. Manufacturing refers to ISIC Rev. 4 category C. Construction refers to ISIC Rev. 4 category F. Mining and quarrying; Electricity, gas and water supply refers to ISIC Rev. 4 categories B, D & E. Services refer to ISIC Rev. 4 categories G to U.

327 Another factor partially contributed to the increase in average hours for those in employment. The shares of young urban women and older women living in rural areas who left employment were likely to be working relatively less hours than the average. Their leaving employment also contributed to the overall increase in average working hours of women.

FIGURE 39. AVERAGE HOURS ACTUALLY WORKED PER WEEK IN FIRST THREE QUARTERS OF 2019 AND 2020 COMPARED TO THE FOURTH QUARTER OF THE PREVIOUS YEAR, 2019 AND 2020



Sources: Viet Nam's Labour Force Survey.

**In conclusion, the impact of COVID-19 on Viet Nam's labour market has not only exacerbated existing inequalities, but also created new ones.** Although women before the pandemic were more economically active than the regional average or the average of lower middle-income countries, a gap still existed. The consequences of the pandemic have widened that gap. In 2019, there was virtually no difference between male and female unemployment rates in the country. By the end of the third quarter of 2020, a gap was apparent, to the disadvantage of women, especially young women. Before COVID-19, women carried a measurable double burden, consisting of several working hours comparable to that of men, plus the hours in household work that were more than double that of men. In the third quarter of this year, with economic activity starting up again and schools reopening, women and men increased their working hours, possibly to make up for lost income. Women on average added more hours than men, making the double burden even more onerous.

**At the root of labour market inequalities there is the traditional role that women**

**are expected to play, perpetuated by both socio-cultural norms as well as by the country's legislation.** The fact that women have a double burden to carry is not only well known in Viet Nam, but also traditionally encouraged. A Vietnamese saying reminds women to be "good at national tasks (i.e. work outside the household) and good at housework". The response at policy and societal level has been an acknowledgment of such traditional roles as a given, and a tendency to 'protect' women in them. Hence the lower mandatory retirement age for women than men, or the exclusion of female workers from certain jobs. These choices have perpetuated a traditional gender division of labour which underpins the inequalities described in this chapter.

**Equality in Viet Nam's world of work can only be built through a shift in approach, from protecting women, to providing equal opportunity to all workers, irrespective of their gender.** At the policy level, the Labour Code adopted by Viet Nam in 2019 opens opportunities to close gender gaps in employment. For example, the Code introduces a reduction in the retirement age

gap, which will be gradually implemented as of January 2021. In addition, under the new Code female workers will no longer be excluded by law from certain occupations considered as harmful for child-bearing and parenting functions. Rather, they will have a right to choose whether to engage in such occupations, after being fully informed of the possible risks involved. Signs of progress show a willingness to improve equal opportunity in the world of work. However, the Labour Code still frames provisions towards gender equality as pertaining to 'female workers'. Traditional gender roles are still entrenched in the mind sets of individuals and influence their socio-economic behaviour. Viet Nam's *Socio-Economic Development Strategy for 2021-2030* is expected to call for gender gaps to be reduced across several areas of the political, economic, and social lives of citizens. If this goal is to be achieved, a genuine process of challenging and eradicating traditional gender inequality needs to begin.

### Recommendations:

- The legal framework on labour and employment plays an essential role in setting not only the ground rules, but also the tone of Viet Nam's promotion of gender equality in the world of work. The new Labour Code offers a more conducive framework to address and reduce gender gaps in the labour market. However, the content of the Code is not yet fully in line with the principles of equality. This is problematic since the Code is the foundational document for employment protection in Viet Nam. In the coming years, legislative work on labour and employment should take the opportunity to build on the progress in the Code, and further advance gender equality. This would contribute greatly to a genuine equality of opportunity, and to the SEDS agenda on eliminating gender gaps.
- Our analysis points to the double burden of paid and unpaid care and domestic work that women carry in Viet Nam as a determinant of gender-based labour market inequality. Viet Nam's leadership should address this challenge, to ensure inclusive and sustainable socio-economic development. As long as women are considered to be the 'natural' primary caregivers, equality in the world of work cannot be achieved and Viet Nam will not benefit fully from the talent and economic contribution of its people. Traditionally, the policy approach to the liberation of women from their double burden has focussed on limiting their engagement in the labour market by, for example, harnessing a significantly lower retirement age to female employees. This approach limits the choices of women even further by confiscating their ability to engage in economic activity. Instead, policy should focus on addressing the burden itself, because it arises from the work women do in the home, by incentivizing the redistribution of these responsibilities between women and men.
- Employers with the support of workers, and their representatives, have a fundamental role in promoting gender equality in the workplace. While the legal and policy frameworks need to lay the foundation for equal opportunity, real change on the ground cannot happen without the daily pursuit of this objective, within the workplace. Every cultural shift implies an effort to move away from the status quo, even when the status quo is counterproductive. VCCI and VGCL will need to continue championing gender equality among their members, highlighting the necessity, benefits and the business case for the development of an equitable workplace.

## 5.3 UNPAID CARE WORK



### The significance of unpaid care work from an economic perspective.

Different terms are used in international literature to describe and analyse unpaid care work. This paper uses the ILO definition of “unpaid care work” as caring for persons or undertaking housework without any explicit monetary compensation.<sup>328</sup> A common alternative formulation is ‘unpaid care and domestic work’. The definition used by the CGEP is understood to encompass these elements.

Globally, and without exception, women perform the majority of unpaid care work. The ILO estimates that, worldwide, women perform three quarters (76.2 per cent) of unpaid care work. This equates to 3 hours more than men, daily.<sup>329</sup> Despite the hours and skills involved, and the fact that equivalent services in the public domain such as health care and catering command fees, care work remains invisible in policies and budgets because few countries count them as part of the conventional definition of economic activity in their System of National Accounts.<sup>330</sup> Unpaid care work is regarded as underpinning the gender inequalities in economic participation and leadership, and reflective of the lower esteem and undervaluing of the work that women primarily undertake.

In Viet Nam, the perception that women and girls should be responsible for unpaid care work is deeply embedded in society. In

Viet Nam, the term, “unpaid care work” is not used in the official documents. Instead, the term “housework” (*việc nhà*) or “family work” (*công việc gia đình*) has been used widely in documents including the *Marriage and Family Law (2015)*, the *Gender Equality Law (2006)* and the *National Strategy on Gender Equality 2011-2020*. By using this term, it is understood as “small chores” which diminishes the socio-economic value of the work and the people who perform it. The extent of women’s unpaid care work is generating debate in Viet Nam. The two successive NSGEs have set a target to reduce the proportion of women’s time spent on housework and unpaid family care work relative to men. The new target in the NSGE 2021-30 is to shorten the time women spend on these two tasks by 1.4 times, by 2030<sup>331</sup>. However, the nature of unpaid care work is not well understood, and the topic has not featured in economic development discourse in Viet Nam, to date. A proper understanding of the nature and extent of unpaid care work is essential to promote actions for a change in policy design.

**Women’s disproportionate share of unpaid care work.** In 2016, a study was undertaken for the first time to estimate time spent on unpaid care work by women and men. It found that Vietnamese women spent around 270 - 300 minutes per day on unpaid care work, as compared to 140 - 170 minutes per day for men.<sup>332</sup> The 2019 Labour Force Survey, included a question on time spent on housework (*việc nhà*)<sup>333</sup>, also for the first time. The data showed that women and men spent 18.84 hours and 8.93 hours, respectively per week on housework. The time spent by women on unpaid care work (items no. 1-4 in Table 13 below) is more than double that of men.

331 Objective 3, Target 1.

332 Action Aid, 2016. *Make a House Become a Home*; Action Aid. 2017. *Unpaid Care Work: Redistribution for Sustainable Development*.

333 In Vietnamese language, referring to housework includes both unpaid care work and some types of unpaid work for the household’s consumption.

328 ILO. 2018. *Care Work and Care Jobs for the Future of Decent Work*. Geneva: ILO.

329 This is distinct from ‘paid’ care work which encompasses a wide range of services including doctors, nurses, teacher and formal sector care workers. International Labour Organization (ILO). 2018. *Care Work and Care Jobs for the Future of Decent Work*. Geneva: ILO.

330 Sharp, R. 2003. *Budgeting for Equity: Gender Budget Initiatives within a Framework of Performance Oriented Budgeting*. New York: UN Women.



TABLE 13: AVERAGE NUMBER OF HOURS FOR UNPAID DOMESTIC/FAMILY WORK PER WEEK SPENT, BY SEX (HOURS)

Tasks	Total	Men	Women
1 Household cleaning, laundry, cooking & shopping	7.75	4.69	10.73
2 Prepare food and beverages (e.g. flour grinding, making jam, drying fish, etc.)	1.49	0.78	2.18
3 Taking care of children under 18 years of age	3.97	2.63	5.28
4 Care, assistance or support for household members (aged 18 and over) including family with disabilities, sick or elderly	0.44	0.33	0.54
5 Making products for household consumption (furniture, pottery, clothes, weaving carpets, etc.)	0.08	0.09	0.07
6 Self-repairing or maintaining household items (repairing broken objects or equipment, repainting walls, etc.)	0.16	0.30	0.02
7 Self-construction, expansion or upgrading of a house, or other construction	0.07	0.11	0.02
	<b>17.93</b>	<b>8.93</b>	<b>18.84</b>

Source: Calculated from GSO. 2019. Labour Force Survey.

**The value of unpaid care work can be quantified.** The economic value of unpaid care work can be measured by the time spent performing the work. The ILO estimates unpaid care work to be around 9 percent of global GDP or USD 11 trillion, in which the value of women's unpaid care work accounts for 6.6 percent of global GDP or USD 8 trillion. Ahead of a nationally representative time use study, Action Aid's study conducted in 9 provinces of Viet Nam calculated that unpaid care work equated to around 20 percent of the total GDP of Viet Nam.<sup>334</sup> Based on the hours, women would make a contribution of 1.1 trillion VND to the economy each year if they spent their time in paid work in the care economy, rather than in unpaid care work. At the same time, this could raise household incomes by 920,972

334 Action Aid. 2016. op.cit

VND per month.<sup>335</sup>

**The burden of unpaid care work hinders girls' and women's education and further training.** The burden of unpaid care work has negative impacts on a range of domains. School attendance by girls and further education and training opportunities for women are one example. Gender inequality in education, particularly in graduate and vocational education levels, is partly attributable to the gendered caregiver role. As indicated in a large-scale study on the determinants of gender equality in Viet Nam, 20 per cent of the women surveyed and around 7 per cent of men reported having to help with household chores as one of the three top reasons for discontinuing

335 Action Aid. 2017. op.cit

education.<sup>336</sup> Regarding the proportion of trained employees, this rate has increased for both women and men over the period 2015 – 2018, at 18 to 19 per cent of women and 23 to 24 percent of men, respectively. However, the rate for men has always been higher than for women. The rate of trained workers is especially low among female workers in rural areas (11.8 per cent), female workers in the agriculture, forestry and fishery sector (3 per cent) and female workers working in non-state sector (11.1 per cent).<sup>337</sup> Moreover, as reported in the education section of the CGEP, the enrolment rate for girls in upper secondary schooling in Viet Nam is higher than for boys. However, it is likely to be more challenging for girls to continue further (post-school) learning and training due to their gender roles which prioritises unpaid care work. This hinders their opportunities for stable employment, a secure job and a good wage.

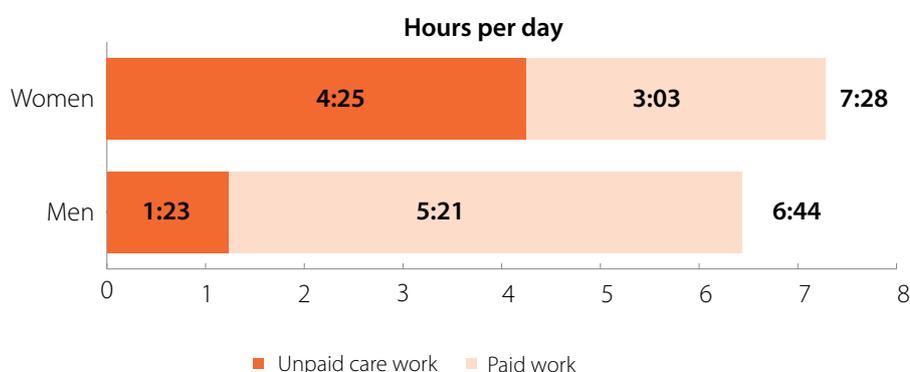
**The burden of unpaid care work as a barrier for women’s participation in the labour market.**

Time constraints are a definitive barrier for women to participate in economic activities. The higher the gender gaps in the distribution of care responsibilities, the higher the gender gaps in labour force participation.<sup>338</sup> There is a correlation between the female labour force participation rate and time spent on unpaid care work. The OECD notes that, “in countries where women spend an average of five hours on unpaid care activities, 50 per cent of women in the working age-population are active in the labour force, while in countries where women spend three hours on unpaid care work, 60 per cent of women are active.”<sup>339</sup> A similar finding has been highlighted by the ILO that a more equal sharing of unpaid care between women and men is associated with higher levels of women’s participation in the labour market.<sup>340</sup>

336 ISDS. 2015. *Women, Land and Law in Vietnam. Vietnam Land Access for Women (LAW) Program*. Hanoi: ICRW & ISDS.  
 337 GSO. 2019. *Gender Statistics in Viet Nam in 2018*

338 ILO.2009. *The Unpaid Care Work –Paid Work Connection*. Working Paper No.86 by Rania Antonopoulos  
 339 OECD. 2014. *Unpaid Care Work: The Missing Link in the Analysis of Gender Gaps in Labor Outcomes*.  
 340 ILO. 2018. *Op.cit*

FIGURE 40: DISTRIBUTION OF PAID WORK, UNPAID CARE WORK AND TOTAL WORK AMONG WORKING AGE RESPONDENTS: GLOBAL AVERAGE, BY GENDER, LATEST YEAR



Source: ILO. 2018. *Care work and Care Jobs for the Future of Decent Work*.

Although the rate of female labour force participation in Viet Nam has remained high, around 72 per cent as compared with 82 per cent for men over the period 2015-2019,<sup>341</sup> the gender gap has been static at 10 percentage points for close to a decade. Clearly, unpaid care work is a critical factor influencing women's employment. As indicated by a recent ISDS study, more than 20 per cent of women did not work due to childcare responsibilities, as compared to 2 per cent of men.<sup>342</sup> McKinsey & Company (2018) has estimated that closing the gender gaps in labour force participation, increasing women's hours in paid work, especially in high productivity sectors, could contribute an estimated 10 per cent of Viet Nam's GDP by 2025, equivalent to US\$40 billion.<sup>343</sup> This argument and calculation is evidence that when women are relieved of their unpaid domestic responsibilities, they would make a significant contribution to the country's economic growth.

### **Burden of unpaid care work limits women's choices of decent work.**

*Types of employment.* Despite Viet Nam's comparatively higher female labour force participation than their global peers,<sup>344</sup> many Vietnamese women are in precarious employment situations. The data suggests that women aged 25 and above tend to choose employment that is close to home and gives them more time for family.<sup>345</sup> Flexibility in working conditions to accommodate care responsibilities rates highly for women in Viet Nam. However, it means that women remain

over-represented in low paying jobs and insecure work as a result.

*Wage gap.* Persistent gender inequalities in income are found in almost all labour markets. Vietnamese women face a significant gendered income gap. Men's income is higher than that of women in all economic sectors, areas and professions. In 2018, the average salary of women workers was 5.38 million VND/month while that of men was 6.07 million VND/month. The gender pay gap index<sup>346</sup> was 0.89, reducing slowly over the period of 2011-2020.<sup>347</sup> Looking at the workers' income by occupational groups, the unskilled/low-skilled labor (where women are over-represented) received the lowest income (3.7 million and 4.4 million VND for women and men respectively) and the group of leaders (where men predominate) had the highest income (8.6 and 10.1 million VND for women and men, respectively).<sup>348</sup> Gender gaps in income are a result of a range of gender differences. These include differences in the type and level of education and professional training, and types of employment, which are shaped by women's need to accommodate unpaid care work and stereotypes that cluster them into undervalued occupations<sup>349</sup> or in part-time or informal employment because they need to balance work and family. These time and opportunity costs contribute substantively to income gaps between women and men, and they can restrict women's access to decent work.

341 GSO. Labor Force Survey, 2016, 2017, 2018, 2019

342 ISDS (Institute for Social Development Studies). 2015. Social Determinants of Gender Inequality in Vietnam. Hong Duc Publisher.

343 McKinsey. 2018. Cited in WB & IFC. 2020. Tackling Childcare: The Business Case for Employer-Supported Childcare in Vietnam

344 World Bank. 2019. How to Design the Viet Nam Labor Code to Improve Gender Equality.

345 ISDS. 2015. op.cit

346 The gender pay gap index is the ratio calculated by dividing average salary per month of women workers by that of men workers.

347 ILSSA (2019). Report on Tendency of Labour and Social Affairs in Viet Nam.

348 GSO. Labor Force Survey 2018

349 UN Women. 2015. Progress of World's Women 2015 -2016

## Recommendations

- A two-pronged strategy needs to be pursued with the aim of promoting the provision of public care services, including childcare and elder care services, and mainstreaming key interventions to enable the recognition, reduction and redistribution of unpaid care work into public sector policies and programs.
- Policies for balancing paid work and unpaid care work include promoting the implementation of the paternity<sup>350</sup> leave policy in Viet Nam's *Social Insurance Law*; initiating universal maternity protection that will benefit all women, both in the formal and informal sector; and greater support for childcare through the improvement of service delivery for all regions. Men's engagement is critical to transform social norms on unpaid care work. Government policy and investment for early childhood development currently concentrates on older children, especially at 5-years of age. While it is important for schooling preparedness, it is recommended to also target children under three years. Investment in the development and expansion of the pre-school network and improvement in the quality of early childhood education is critical for a family's access to care facilities, particularly in the context of a growing demand for care needs, an ageing population and migration.
- The recently launched national Time Use Survey, led by the GSO, should be institutionalised and conducted periodically. It will be an important tool for economic analysis and policy design toward gender-responsive economic and social policy.

- Raising society's awareness of the value of unpaid care work, its significance, and linkages to development through communication campaigns and engagement with media. Changing social norms remains crucial to promote shared responsibilities between women, girls and men and boys at home, together with other policy advocacy for reducing and redistributing unpaid care work among stakeholders in both the public and private sector.

## 5.4 WOMEN IN BUSINESS



### **Above ASEAN average performance.**

Private sector leadership is a domain where Viet Nam is recognised as a good performer. Increasing the proportion of women in business ownership has been a government target in the two successive versions of the *National Strategy on Gender Equality (2011-20, 2021-30)*, demonstrating a consistent political commitment to this outcome. According to IFC data, Viet Nam has the highest rate of women on the boards of publicly listed companies for the ASEAN region at 15.4 per cent (after Thailand at 20.4 per cent). Viet Nam is also second highest in terms of women in the role of Chair of the board, in 7.8 per cent of companies (ranked after Indonesia with 11.7 per cent). While the ASEAN averages are admittedly low overall, Viet Nam's higher ranking suggests the presence of factors that are comparatively more supportive of women's corporate leadership than its regional peers. This warrants further analysis. Women are at the helm of some of Viet Nam's largest corporations such as Vinamilk, BRG, Vietjet, and VinFast, as well as multinational companies such as IBM Viet Nam. However,

350 Noting the ultimate aim of having a parental leave policy but working immediately with the existing provisions for paternity leave.



these numbers still fall short of the 30 per cent management or boardroom target which is a threshold for women to impact company culture, dynamics and decisions.<sup>351</sup>

**Lonely at the top.** Barriers exist to women's efforts to rise to the most senior positions. The IFC report noted that 47 per cent of listed companies in Viet Nam have no women on their boards, at all.<sup>352</sup> An ILO study further found that of the 70 per cent of enterprises in Viet Nam that have a board of directors, only 5 per cent had a gender balanced board.<sup>353</sup> Only 22 per cent of senior management positions of listed companies are held by women,<sup>354</sup> with data suggesting one third of these women are in companies within the information and communications sector in Viet Nam.<sup>355</sup> An ILO enterprise survey in Viet Nam also found that of middle and senior management positions held by women, they are clustered in support functions such as human resources (65 per cent), finance and administration (52 per cent) and marketing and sales (43 per cent). Even where qualifications are equivalent, women also tend to manage smaller teams than their male peers.<sup>356</sup> This occupational segregation and narrower experience base restricts their rise to leadership positions.<sup>357</sup>

Barriers are also present for women in smaller scale firms, as highlighted by Viet Nam not meeting its *NSGE 2011-2020* target that 35 per cent of Small and Medium Enterprises (SMEs) would be owned by women by 2020.<sup>358</sup> In some cases, this may relate to the intent of the enterprise. Sometimes women's business ownership, especially SME ownership, represents a 'necessity' rather than 'growth-oriented' enterprise which offers a way for women to earn income flexibly, around their other responsibilities, with little start-up capital. In Viet Nam, shares may be issued to family members for estate and tax purposes, and so some women's ownership may be in name only.<sup>359</sup> Structural and attitudinal barriers faced by women in business are discussed further below.

**Women's business ownership is increasing, but slowly** According to a study by the Viet Nam Chamber of Commerce and Industry (2019) of 10,000 enterprises from the Provincial Competitiveness Index Survey, data from the Department of Business Registration Management under MPI reported a total of 285,689 women-owned enterprises, accounting for 24 per cent of the total. With around one in five businesses owned by a woman in 2011 (21 per cent), according to the same dataset, the past decade has seen only a three per cent increase in ownership. Data from the GSO Enterprise Surveys differ slightly, reporting that 22.4 per cent of enterprises in 2015 were women-owned, and that figure increased to 27.8 per cent by 2017.<sup>360</sup> By either source, the increase in women's business ownership has been slow.

351 International Labour Organization (ILO) and Investing in Women. 2020. *Leading to Success: The business case for women in business and management in Viet Nam*. Hanoi: ILO.

352 International Finance Organisation (IFC). 2019. *Board Gender Diversity in ASEAN*. Washington DC: IFC.

353 ILO. 2019. *Women in Business and Management: The business case for change*. Geneva: ILO

354 Boston Consulting Group. 2017. *Moving Towards Gender Diversity in South East Asia*. Singapore: BCG.

355 International Labour Organization (ILO) and Investing in Women. 2020. *op.cit*

356 Institute of Social Development Studies (ISDS). 2015. *Social Determinants of Gender Inequality in Vietnam*. Hanoi: ISDS.

357 ILO. 2019. *Women in Business and Management: The business case for change*. Geneva: ILO cited in International Labour Organization (ILO) and Investing in Women. 2020. *Leading to Success: The business case for women in business and management in Viet Nam*. Hanoi: ILO.

358 Government of Viet Nam. 2020. *op.cit*.

359 UN Women. 2016. *Gender Equality and Taxation in Viet Nam: Issues and Recommendations*. *op.cit*.

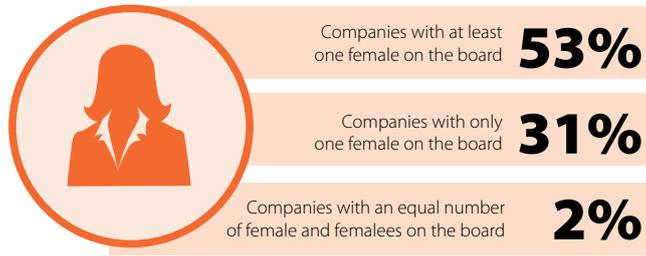
360 Government of Viet Nam. 2020. *op.cit*

FIGURE 41: OVERVIEW OF THE GENDER DIVERSITY OF PUBLICLY LISTED COMPANIES IN VIET NAM.

**VIETNAM**

	ASEAN average (%)	Vietnam (%)
Board membership	14.9	15.4
Board chair	7.1	7.8
Senior management	25.2	16.8
Executive director	13.8	11.1
Non-executive director	14.3	15.5

Note: Other board positions not available for Vietnam

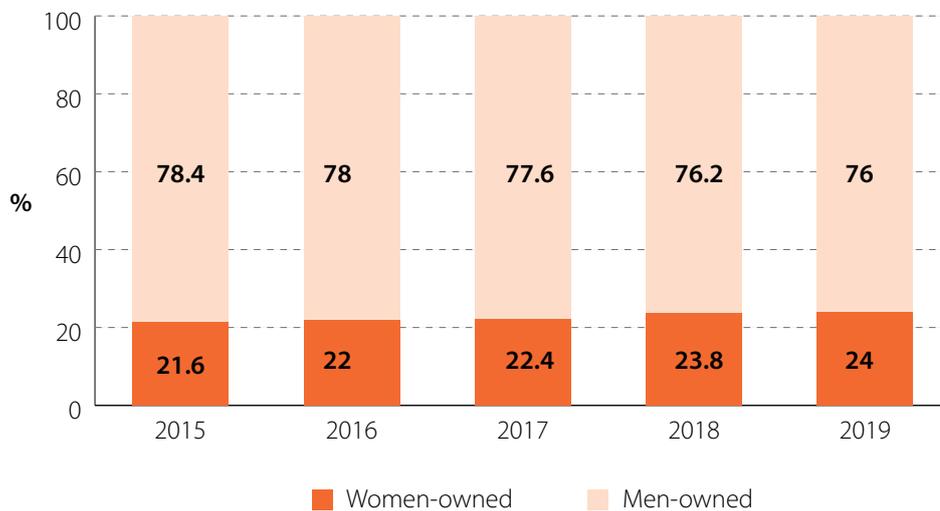


**Top three industries with the highest percentages of women on boards:**



Source: International Finance Organisation (IFC). 2019<sup>361</sup>

FIGURE 42: PROPORTION OF BUSINESS OWNERSHIP, BY GENDER, 2015-2019



Source: Viet Nam Chamber of Commerce and Industry (VCCI). 2019.<sup>362</sup>

361 International Finance Organisation (IFC). 2019. *Board Gender Diversity in ASEAN*. Washington DC: IFC.

362 Vietnam Chamber of Commerce and Industry (VCCI). 2019. *Doing Business in Viet Nam: An assessment from women-owned enterprises' perspective*. Hanoi: VCCI.

According to the VCCI report, three quarters of women-owned businesses were registered in the Trade and Services sector, underlining their particular exposure to COVID-19-related closures of borders and social distancing requirements which greatly reduced shop, restaurant and hotel business hours and foot traffic. Women own a minor share of businesses across all four sectors measured, accounting for 28 per cent in trade and services, 23 per cent in agriculture, forestry and fisheries, 18 per cent in manufacturing, and 13 per cent in construction. The top five cities with the highest share of women-owned enterprises are Hồ Chí Minh (28 per cent), Hà Nội (27 per cent), Hải Phòng (27 per cent), Khánh Hòa (26 per cent) and Lào Cai (26 per cent). Da Nang was ranked eighth. As employers, in a separate report, UN Women noted that one third of full-time employees within corporate firms are women.<sup>363</sup> In the

363 Data from GSO Enterprise Survey 2015 cited in UN Women. 2016. *Gender Equality and Taxation in Viet Nam: Issues and Recommendations*. op.cit

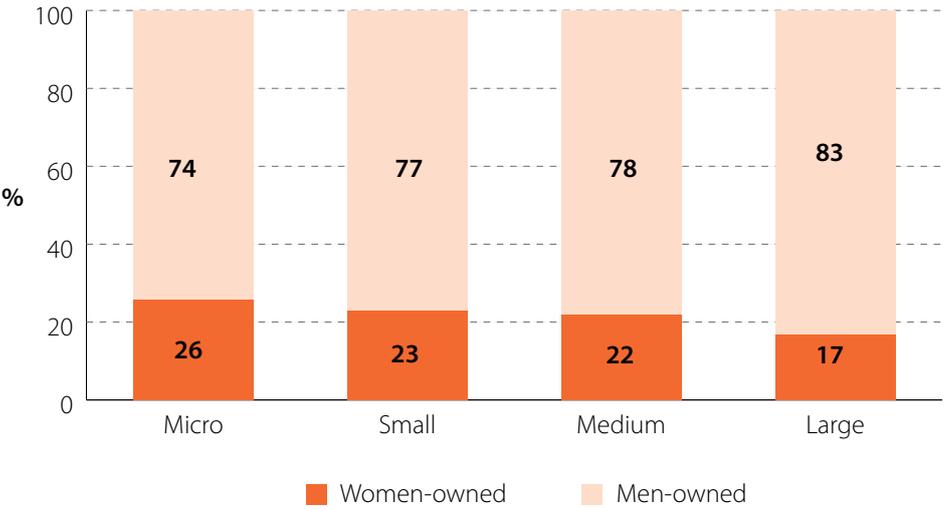
VCCI survey, 17.8 per cent of all women-owned businesses were joint stock. Only 0.4 per cent of women-owned enterprises are currently listed on the Hanoi or HCMC Stock Exchange. This exceptionally low rate merits further examination.<sup>364</sup>

**Concentration in SME ownership.** It is generally acknowledged that women tend to be clustered in Small and Medium Enterprise ownership, with the majority having fewer than 50 employees. Only 17 per cent of large enterprises surveyed were run by women. Around two thirds of the businesses surveyed by the VCCI (69 per cent) had less than VND 5 billion in business capital. However, this differs only slightly from the 64 per cent of male-owned enterprises.<sup>365</sup>

364 Vietnam Chamber of Commerce and Industry (VCCI). 2019. *Doing Business in Viet Nam: An assessment from women-owned enterprises' perspective*. Hanoi: VCCI.

365 Viet Nam Chamber of Commerce and Industry (VCCI). 2019. *Doing Business in Viet Nam: An assessment from women-owned enterprises' perspective*. Hanoi: VCCI.

FIGURE 43: PROPORTION OF MALE AND FEMALE BUSINESS OWNERSHIP, BY FIRM SIZE, 2018



Source: Viet Nam Chamber of Commerce and Industry (VCCI). 2019.<sup>366</sup>

366 Ibid.

### **Equivalence in education, and employers of other women.**

The women business owners surveyed by VCCI were as qualified as their male peers. An estimated 68.6 per cent of women business owners possessed a Bachelor or Masters level qualification, as compared with 71.9 per cent of men. Notably, women-owned enterprises performed on par with men in terms of loss, breaking even, and profit reported for the previous year. An estimated 64 per cent of women-owned enterprises reported a profit, compared with 63 per cent of those owned by men.<sup>367</sup> A different government dataset from 2018 estimated that of the total number of SMEs, women-owned enterprises accounted for 31.6 per cent of the total in urban areas and 18.7 per cent in rural areas.<sup>368</sup> The report noted that women-led SMEs account for the employment of more than one million women workers.<sup>369</sup> Another report in 2018 underlined the link between women's business ownership and women's employment in Viet Nam, finding that women-owned SMEs employed a higher percentage of women workers in Viet Nam than men-owned, at 43.4 per cent versus 36 per cent, respectively.<sup>370</sup>

### **Gender barriers facing women in business.**

Several recent studies have highlighted the practical and attitudinal barriers faced by women in business. A UN Women study (2020) on the topic found that although the education level of women in business is on a par with men (63 and 65 per cent, respectively), women's lower level of STEM qualifications (32.8 and 54.1 per cent,

respectively in their study cohort) results in the under-representation of women in the ICT sector and business requiring innovation. The small size of women's enterprises also hampers their ability to secure official financial assistance or competitive funds.<sup>371</sup> A needs assessment of 394 men and women-owned businesses conducted in 2016-17, in parallel with the drafting of the SME Support Law, highlighted differences in the challenges that women reported relative to their male counterparts.<sup>372</sup> These included access to financial resources (including in relation to collateral, loan terms, priority products and interest rates), with two thirds (66 per cent) of women-owned enterprises reporting limited information on access to capital, lacking relationships to help access capital, lacking negotiation skills when borrowing, and limited support from spouse and family. Women appeared to be more disadvantaged than men in a number of business fundamentals, including: information on markets, business linkages and new clients; access to legal consultancy services which may be in-house in larger corporations; information on marketing, sales and corporate governance; and support in trade promotion as well. Women also reported that these difficulties posed challenges to balancing work and family responsibilities.

**Prevailing prejudice.** The VCCI study highlighted the 'social prejudice' reported by the women it surveyed. These prejudices ranged from: the perception of women's natural competency with housework but not with management and business; that women should assume 'second place' rather than

367 Ibid.

368 Government of Viet Nam. 2019. *National Review Report on 25-Year Implementation of the Beijing Platform for Action*. Accessed 6 October 2020. <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/vietnam.pdf?la=en&vs=114>

369 Ibid.

370 Viet Nam Women Entrepreneurs Council (VWEC), The Asia Foundation and Mekong Business Initiative. 2018. *Needs Assessment of Women-Owned Small and Medium Enterprises in Viet Nam*. Hanoi: VWEC.

371 UN Women. 2020. *Review of the implementation of small and medium enterprises (SMEs) support legislation and the capacity building needs and training services for women-owned SMEs and women entrepreneurs in Viet Nam - Study report*. Hanoi: UN Women.

372 Viet Nam Women Entrepreneurs Council (VWEC), The Asia Foundation and Mekong Business Initiative. 2018. *Needs Assessment of Women-Owned Small and Medium Enterprises in Viet Nam*. Hanoi: VWEC.

top leadership in a company, which should be occupied by a man; that women cannot concentrate due to their 'primary' focus on caring for their children and family; and that women are risk averse and not as equipped as men to make bold decisions.<sup>373</sup> The report noted that women identified 'mountainous obstacles' with the combination of business environment challenges and social prejudice. In practical terms, women also reported that the top obstacles faced were: finding customers (63 per cent), market instability (34 per cent), and access to credit and finance (30 per cent). Women reported loan terms being an average of 13.7 months for women, as compared with 16 months for men, and almost half (40 per cent) of the women surveyed found loan procedures difficult. Access to available information on policies and the business support remained elusive for women, with information on land use, public investment plans, local industry and infrastructure plans being the most difficult to source. This is despite requirements for this information to be publicly available.<sup>374</sup>

Biases and expectations can also be internalised. A 2020 study of social norms affecting women's economic participation in Viet Nam found that the 'caregiving norm' – whereby women should be primarily responsible for child and family caretaking – was a meta-norm. In other words, it elicited strong adherence by women due to their belief that violating this norm would bring repercussions, and it is a major influence on behaviours and choices in relation to women's work. The study found that certain industries (IT and the garment sector) and certain demographics (women under 25 years of age) showed more potential to challenge the norm and ignore the reference group (eg.

husbands and partners). However, caregiving expectations of women continue to firmly dictate work patterns.<sup>375</sup>

### Recommendations.

- Invest in programs to address constraints and accelerate the increase in women's SME ownership.
- Support the banking sector to tailor its products and services to women in business (all firm sizes), including the introduction of credit registries to support non-collateral based financing.
- Promote measures, incentives and recognition programs to companies, including a consideration of targets or quotas, to boost the representation of women in voting positions on boards.
- Promote women's enrolment in qualifications and training in non-traditional roles to enable their promotion to mid and senior level roles beyond HR, finance and administration, and sales.
- Engage with private sector champions and industry associations to promote workplace gender equality policies and auditing.

373 Viet Nam Chamber of Commerce and Industry (VCCI). 2019. *Doing Business in Viet Nam: An assessment from women-owned enterprises' perspective*. Hanoi: VCCI.

374 Ibid.

375 Nguyen, ML., Le, THG. et al. 2020. *Investigating Gendered Social Norms Affecting Women's Economic Empowerment Related to Recruitment and Promotion in Vietnam*. Investing in Women and CARE International Vietnam.

## THE ENERGY SECTOR CHAMPIONING WOMEN'S LEADERSHIP

### **Viet Nam has made striking progress on gender equality, especially in female labour force participation.**

On female leadership, however, Vietnam has an unfinished agenda, especially in the public and infrastructure spheres. In the energy sector, men dominate technical and leadership positions and women are underrepresented across the total workforce. In Viet Nam, Electricity (EVN), the national utility and third largest enterprise in the country with over 93,000 employees, women tend to be concentrated in administrative, financial and customer service positions rather than in leadership and technical roles. Women represent under 13 per cent of management.

### **Having more women in leadership in business, government and politics benefits Viet Nam's development and is a win-win for business.**

Real change is driven by inclusiveness at the top – including by promoting women to leadership positions. Such leaders not only serve as role models, but they can also help create an environment for women to enter, stay, and progress successfully in the workforce. There are also positive economic returns. Studies of the private sector show that adding one more woman to a firm's senior management or corporate board is associated with an 8 to 13 basis point higher return on assets. This does not require major capital investments or large costly restructuring. It just requires one more woman.

### **EVN is working on promoting women's employment and leadership in the energy sector.**

As part of a longer-term partnership, the World Bank is supporting EVN since 2017 in its goal to increase the share of

women in management, including senior management. This has included engagement in dialogue about how to reach its goals related to promoting women's employment and leadership within the sector, and the development of an implementation roadmap together, endorsed by EVN's senior management. EVN with World Bank support has gone on to implement a Women in Leadership (WIL) training program for employees, as well as a training-of-trainers package; a mentoring program; a plan of action to obtain EDGE (The Economic Dividends for Gender Equality) certification; and a learning exchange with Électricité de France.

### **Social norms and gender stereotypes are major barriers to women's leadership.**

A recent World Bank report finds that young women and men in Vietnam have internalized negative attitudes toward women leaders (Buchhave, Cunningham, Nguyen, Weimann-Sandig, 2020). To address these challenges and to build a talent pool, EVN and the World Bank developed a pilot WIL program comprised of a four-day leadership training course and a six-month mentoring program to build skills and confidence among select female staff to take up leadership positions within the organization. A training-of-trainers program for EVN human resource (HR) specialists and trainers was provided to build internal capacity for implementing the WIL Program. Since 2019, EVN has turned the WIL program into a regular training program which has been offered by HR staff to over 700 staff across EVN.

### **EVN further signalled its commitment to promoting gender equality and the**

**development of women's leadership by engaging as a founding member of the Vietnam Business Coalition for Women's Empowerment (VBCWE) and pursuing EDGE certification**, the leading global third party, independently verified assessment methodology for certifying a corporate commitment to gender equality. In November 2018, EVN's Ho Chi Minh City Power Corporation was awarded EDGE certification ('Assess level) in recognition of its efforts to implement workplace policies and practices supporting gender equality, making it the first enterprise in Viet Nam to receive the certification. In August 2020, EVN GENCO 3 also received EDGE Certificate ('Assess' level). EVN continues to pursue additional utilities to become EDGE certified at Assess and higher levels, including EVN HQ. EDGE measures the following dimensions: representation; pay equity; effectiveness of policies and practices to ensure equitable career flows; and employee experiences of a culture of inclusiveness.

**A learning exchange conducted between EVN management and Électricité de France (EDF) enabled EVN to learn from other successful corporate efforts to promote women's leadership.** The initiative provided capacity building to EVN HR managers on best practices and policies for gender equality in the workplace to bring their implementation capability up to international standards. Lessons learned from the EDF experience is helping to shape the refinement and expansion of the WIL program, building upon EDF's experience partnering with NGOs and secondary schools to increase women's participation in STEM fields. The exchange visit has also led to the formation of a WIL alumni

network modelled upon EDF's women's network.

**As a result of these efforts, EVN has increased the number and share of women in EVN's management from 1,272 women (12.7%) in 2015 to 1,636 (12.92%) women by end of 2020.** In other words, 364 more women took up leadership positions in EVN – a significant number in absolute terms. This progress has been achieved amid a reduction in staffing numbers and a hiring freeze. This also includes notable progress at the top management level. For the first time, EVN now has one woman on the Board of Directors and one female General Director of a primarily technical corporation (GENCO3). It also has four chief accountants that are women (equivalent to Deputy General Directors) and one woman as Deputy Director of a subsidiary company. This is a quantitative and a culture change in progress

**EVN has shown that opening leadership to more women widens the potential talent pool and ensures decisions are informed by a more diverse range of viewpoints and understanding of different issues.** EVN is continuing to collaborate with the World Bank to champion gender equality and is inspiring other state-owned utilities in the region and across the world to promote women's leadership, with power companies across the South Asia Region learning from EVN's success through the WEPower group established in February 2019 by the World Bank.

Buchhave, H, Cunningham, W, Nguyen, GT. & Weimann-Sandig, N. 2020. *Perceptions of Gender Disparities in Vietnam's Labor Market*. Washington, DC: World Bank.

## 5.5 TECHNICAL TRAINING



### **On the job training of women workers is low, and less than that for men.**

The ongoing competitiveness of Viet Nam and its transition to a skills-based and tech-intensive economy depends on the development of its human resource base. Training is a route to expanded job options and promotion, and it mitigates employer-dependence and being expendable. Presently, the rate of employed women and men with technical training is very low in Viet Nam. Data from the GSO notes that only 19.3 per cent of women and 24.4 per cent of men possess technical or vocational education qualifications (2018 data), and data cited by the World Bank is lower still with 2 per cent of women and 10 per cent of men having completed secondary or higher education technical training.<sup>376</sup> Over the past decade, there has been a decline in the share of women workers with technical qualifications as compared with men.<sup>377</sup> The gender gap in training is particularly pronounced among rural workers, especially younger workers, favouring men.<sup>378</sup>

The garment and light manufacturing industries have been a major source of waged employment for women in Viet Nam in recent years. Their job share has been growing at a faster rate than men's employment in the sector. However, jobs for women are mostly at the menial 'cut-make-trim' end of garment production, and there is negligible need for or investment in training. Jobs in the sector are susceptible to displacement by automation and the lack of training puts a

generation of women workers at risk. East Asia is a salient model for Viet Nam on this point. In the past decade in East Asia, the upward trend in women's labour force participation due to export-oriented light manufacturing was followed by a 'defeminisation' of these jobs as production shifted to being more capital and technology driven. This therefore foreshadows great risks for women's labour force participation, as Viet Nam upgrades its manufacturing sector to increase productivity.<sup>379</sup>

Already, ahead of the impact of automation, in 2017, the Vietnamese media reported that the Government was investigating an unusual number of layoffs and resignation of women workers aged over 35 years in industrial zones.<sup>380</sup> The Viet Nam General Confederation of Labour confirmed that according to a survey of 500 factory workers who had been fired or resigned in the previous year, the majority (80 per cent) were women aged 35 and above.<sup>381</sup> Gender discrimination was highlighted as the root cause, however it meant that women, including many rural and ethnic minority women, were being cast out in the middle of their working life with no training or skills. This increases the vulnerability of this 'breakthrough' generation of women to exploitation. It is a trajectory that could be turned around with better access to training.

### **Recommendations.**

- Prioritise investment to increase the rates of technical training for all workers, removing gender-based stereotypes that discourage access to certain fields and occupations.

376 World Bank. 2018. *Vietnam's Future Jobs – The Gender Dimension*. Washington DC: World Bank.

377 UN Women. 2016. *Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women*. Hanoi: UN Women.

378 General Statistics Office (GSO). 2017. *Gender Statistics in Viet Nam 2016*. Hanoi: GSO.

379 UN Women. 2016. *Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women*. Hanoi: UN Women.

380 See <https://e.vnexpress.net/news/business/vietnam-scrutinizes-why-so-many-women-are-being-fired-from-industrial-zones-3640975.html>

381 Ibid.



- Assess and plan for the transition of workers who will be impacted by Viet Nam's shift to technology-driven production, especially the female-intensive manual labour forces in light manufacturing.

## 5.6 LAND AND PROPERTY



**Equal rights in the law.** With two thirds of the population still living in rural areas, land title is a crucial and essential form of property in Viet Nam.<sup>382</sup> Land ownership and control is fundamental to livelihoods, and it endows individuals with an asset for collateral, independence and social security. For the past decade, Viet Nam has enacted provisions to improve the protection of women's land rights. However, when last measured, inequalities persist in women's access to land title registration and its benefits. This has been attributed to gendered norms with respect to familial property and inheritance (preferencing husbands and/or brothers), and intra-household power differentials.<sup>383</sup> Official sex-disaggregated statistics on land title were last produced in 2014, and are in urgent need of updating in the light of changes in land usage in the intervening period.

Equal rights between women and men in all aspects of life are firmly stipulated in the *Constitution of Viet Nam*. Women's equal land rights are institutionalised in several laws, including the *Land Law 2003 & 2013*, *Marriage and Family Law (2014)*, *Gender Equality Law (2006)* and the *Civil Code*, and

382 World Bank. 2020. *Benefits of Joint Land Titling in Vietnam*. Washington DC: World Bank.

383 Alvarado, G. and Khuat, TH. et al. 2015. *Women, Land and Law in Vietnam*. Washington DC: International Center for Research on Women (ICRW) and Institute of Social Development Studies (ISDS).

a series of decrees and decisions guiding implementation. The *Land Law (2003)* decreed that all new land use rights certificates (LURCs) for married couples, 'must state the full names of both husband and wife'.<sup>384</sup> In actuality, by 2008, five years after the introduction of the law, the incidence of joint titling remained low. Only 10.9 per cent of newly issued agricultural LURCs, 18.2 per cent of residential LURCs in rural areas, and 29.8 per cent in urban areas stated the names of both husband and wife. The majority of land/house URCs and agricultural LURCs remained in the husband's name.<sup>385</sup>

The revised *Land Law (2013)* addressed some limitations in the 2003 version. Under Article 98, both the husband and wife's full names were required to be on the LURC of commonly owned property, except where both parties gave consent to record only one name. The implementation guidance on the law, Decree 43/2014/ND-CP issued in May 2014, provided for the re-issuing of an LURC with only one name to include both names (i.e. husband and wife). This encouraged a transition from single-titled to jointly titled LURCS, which has been taking place although not to the expected extent.

384 Specifically, Article 48, paragraph 3 prescribes that: Where the land use right is a mutual asset of a wife and husband, the certificate of land use right must state the full names of both husband and wife. Where the land user of one parcel of land comprises several individuals, family households and organisations, a certificate of land use right shall be issued to each individual, family household and organisation being a land co-user.

385 General Statistics Office (GSO). 2008. *Viet Nam Living Standard Survey 2008*. Hanoi: GSO.



TABLE 14. DISTRIBUTION OF LAND USE RIGHT CERTIFICATES (LURCS), BY GENDER

	The whole sample of LURCs				LURCs held by married people			
	Only male	Joint	Only female	Total	Only male	Joint	Only female	Total
<b>Crop land</b>								
2004	70.9	11.6	17.5	100	78.8	12.9	8.2	100
2014	46.0	38.3	15.7	100	51.1	44.5	4.3	100
<b>Other agricultural land<sup>386</sup></b>								
2004	71.2	13.9	14.9	100	78.4	15.3	6.2	100
2014	45.2	41.4	13.3	100	47.7	47.3	5.1	100
<b>Residential land</b>								
2004	64.7	15.7	19.7	100	74.0	18.2	7.8	100
2014	34.5	44.6	20.9	100	38.9	54.9	6.2	100

Source: World Bank. 2020

Table 14 shows a considerable rise in the proportion of jointly titled LURCs between 2004 and 2014, as reported in the *Viet Nam Household Living Standards Survey (VHLSS) 2014*.<sup>387</sup> In particular, the proportion of jointly titled cropland rose from 11.6 to 38.3 per cent while the rate of jointly titled residential land increased from 15.7 to 55.6 per cent. Nonetheless, even though the rate of LURCs titled solely to men dropped significantly in the ten year period from 2004 to 2014, men are still more likely to be the sole land/house owner when compared with women. For example, in 2014 regarding LURCs for cropland, the rate of sole female owners was a third of that of male owners, constituting 46

per cent and 15.7 per cent, respectively.<sup>388</sup>

Additionally, women are more likely to be the sole holders of LURCs in female-headed households (e.g. unmarried, widowed, or divorced women). Of married couples, only 6.2 per cent of LURCs were registered solely in the woman's name, as compared with 39 per cent registered in the man's name. This reveals a bias in favour of men as opposed to women, in formal asset ownership within a family, as well as significant shortcomings in implementing the regulation on the conversion from single-titled LURCs to joint-titled ones.<sup>389</sup>

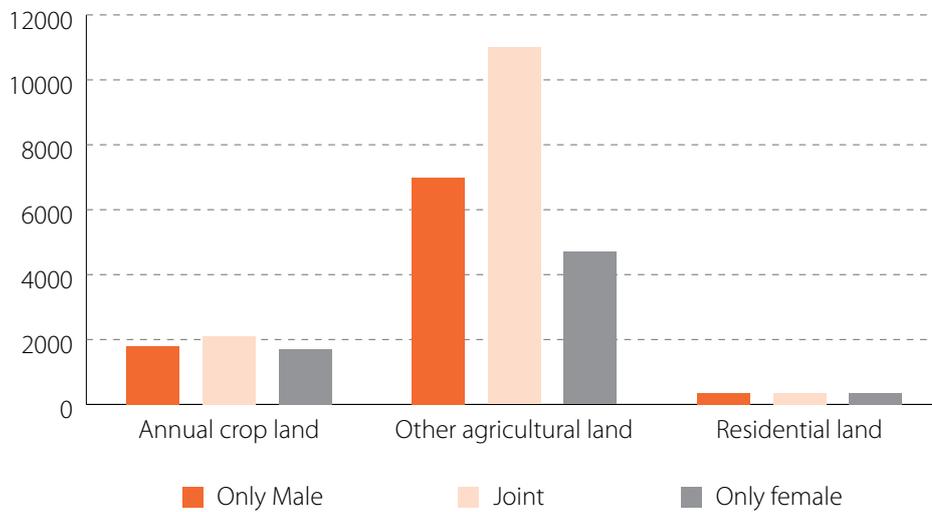
386 This includes forest land or land for other purposes, such as aquaculture farming.

387 GSO. 2014. *Viet Nam Household Living Standards Survey 2014*. Hanoi: GSO.

388 World Bank. 2020. *Benefits of Joint Land Titling in Vietnam*. op.cit.

389 Ibid.

FIGURE 44. AVERAGE LAND AREA BY LURC TITLING, 2014<sup>390</sup>



Source: World Bank. 2020.

Nationally, representative, sex-disaggregated data has not been available since the World Bank funded the land module of the 2014 VHLSS. However, other more recent studies indicate an ongoing gender disparity in LURC titling for men and women, favouring men. For example, a 2013 study (with 8,424 men and women across 11 provinces/cities of Viet Nam) asked respondents to provide information on the ownership of their land/house of residence. Of those, 52.8 per cent of men as compared with 21.3 per cent of women – or less than half – reported they were sole owners of residential land and/or house property.<sup>391</sup> A 2020 study with 2,567 Vietnamese men, found lower rates of sole land ownership overall, but a six-fold chasm between the proportion of female and male sole owners of land and/or residence, at 4.5 per cent and 28.2 per cent respectively.<sup>392</sup> Even though these findings do not refer specifically to titling on LURCs, they reinforce the

predominance of men in land/house ownership, and potentially also point to requisite change in land ownership patterns overall.

A similar finding was reported in the 2018 Viet Nam Governance and Public Administration Performance Index (PAPI). As presented in Figure 45, the gender gap appeared to widen between 2017 and 2018. Specifically, men were nearly 10 per cent more likely to have their names on certificates than women in 2018, which was 2 percentage points higher than in 2017. The increase in the rate of sole male holders of LURCs from 2017 to 2018 was more than 1.5 times that of sole female holders over the same period, at 5.5 percentage points in comparison to 3.6 percent points. The expansion in the gender disparity in LURC holders was more pronounced in rural areas, increasing from 9 per cent in 2017 to 13 per cent in 2018.<sup>393</sup> Rural women’s access to and

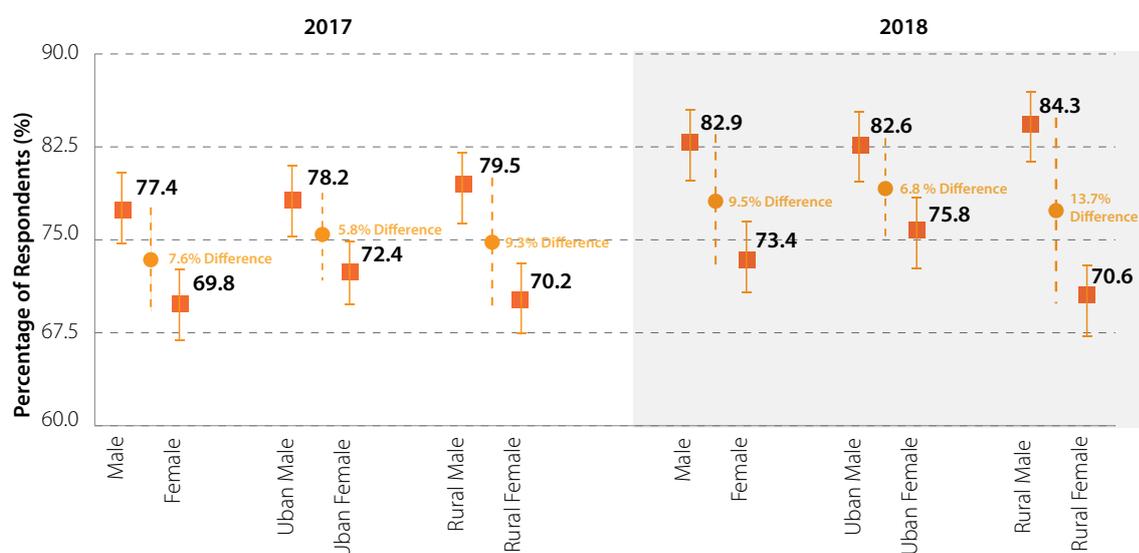
390 Ibid.

391 Institute for Social Development Studies (ISDS). 2015. *Social Determinants of Gender Inequality in Viet Nam*. Ha Noi: Hong Duc Publisher.

392 ISDS. 2020. *Men and Masculinities in a Globalising Viet Nam*. Hanoi: ISDS.

393 CECODES, VFF-CRT, RTA & UNDP (2020). *The 2019 Viet Nam Governance and Public Administration Performance Index (PAPI): Measuring Citizens’ Experiences. A Joint Policy Research Paper by the Centre for Community Support and Development Studies (CECODES), Centre for Research and Training of the Viet Nam Fatherland Front (VFF-CRT), Real-Time Analytics, and United Nations Development Programme (UNDP)*. Hanoi.

FIGURE 45. GENDER GAP IN LAND REGISTRATION, 2017-2018



Source: PAPI 2018

control over land, a direct source of livelihood, is therefore contingent upon men. In total, in 2018, around one fifth of men and around one quarter of women still did not have their name on the LURC.

men and women for not having their name on the LURCs. It is noteworthy to see the decline in the rate of women citing the reason of “spouse’s name on LURCs” over the 3-year period.

### Reasons for gender gaps in land use rights.

Table 15 below provides the reasons given by

TABLE 15. REASONS FOR MEN AND WOMEN NOT HAVING NAME ON THE LURCS, 2016-2018<sup>394</sup>

Reasons	Male			Female		
	2016	2017	2018	2016	2017	2018
Parent’ name on LURCs	15.04	13.21	10.09	8.91	8.23	7.04
Not head of household	5.46	5.76	3.40	11.14	7.93	8.07
Spouse’s name LURCs	1.99	1.74	2.23	12.58	11.30	9.34
Other reasons	1.18	1.76	1.11	3.11	1.94	1.81
Total without name on LURCs	26.67	22.47	16.83	35.74	29.49	26.26

Source: PAPI 2018

394 Ibid.

Two recent studies have examined the reasons for the gender gap in land rights in Viet Nam - a 2013 UNDP study conducted in ten provinces, and a study by ICRW and ISDS in two provinces in 2015.<sup>395, 396</sup> These studies highlighted that the major obstacles lie in the persistence of traditional socio-cultural practice regarding land division and succession. Although several laws including the *Civil Code*, *Law on Marriage and Family*, and the *Land Law* guarantee equal land rights between men and women, poor enforcement has failed to protect women's right to land in the face of traditional practices, including son preference, patrilineal kinship, and the common practice of patrilocal residence. Thus, women in many localities have been excluded from family land succession in practice and discouraged or even dissuaded from accessing legal aid to claim land rights. Women have even expressed the belief of being 'unentitled' to a share of the land belonging to their birth family as they feel inferior to male siblings, and/or that they have become 'outsiders' once married. Women from patrilineal groups as well as from rural and mountainous areas have been identified as confronting substantial barriers to enjoying land rights.

The dualistic legal system in Viet Nam is also highlighted as restricting women's property rights, since customary 'law' tends to override state law in regulating property and inheritance rights at the local level.<sup>397</sup> Indeed, there have been cases when the court's adjudication departed from a strict application of the legal provision for equal rights.<sup>398</sup> One recent example is when the Supreme People's Court advised the wife of a famous Vietnamese

coffee brand owner to give full authority over the company to her husband and to 'go and take care of the children'. An article in June 2019 on *Phu nu Viet Nam Newspaper* expressed disagreement with the court's decision, and cited a comment from a member of the Hanoi Lawyers' Association who stated that the court's direction 'goes against the spirit and principles' of the *Law on Marriage and Family* and the *Gender Equality Law*.<sup>399</sup>

Another barrier that impedes women in accessing their land rights is the local practice of reconciliation which focuses on resolving a couple's disputes, to maintain peace. Maintaining community harmony is reported to take precedence over women claiming their rights. It has been stated that members of the reconciliation committees persuade women not to challenge the status quo, and have put pressure on women to give up their intention to claim their land rights.<sup>400</sup> The CEDAW Committee also noted its concern that, in practice, male-only certificates are often issued and that the mediation of disputes tends to favour men over women.<sup>401</sup>

395 Alvarado, G. and Khuat, TH. et al. 2015. *Women, Land and Law in Vietnam*. op.cit..

396 UNDP. 2013. *Women's access to land in contemporary Viet Nam*. Hanoi: UNDP.

397 Phan, NT. 2011. "Recognizing Customary Law in Vietnam: Legal Pluralism and Human Rights." Ph.D. Thesis, University of Wollongong, New South Wales.

398 UNDP. 2013. op.cit.

399 Phụ nữ Việt Nam 13/6/2019. Vụ ly hôn của vợ chồng chủ cà phê Trung Nguyên: Điều kỳ lạ từ Chủ tọa phiên tòa, <https://phunuvietnam.vn/vu-ly-hon-cua-vo-chong-chu-ca-phae-trung-nguyen-dieu-ky-la-tu-chu-toa-phiên-toa-60195.htm>

A lawyer from Hanoi Lawyers' Association stated that "... câu nói của vị thẩm phán chủ tọa phiên tòa còn đi ngược lại tinh thần, nguyên tắc cơ bản của Luật Bình đẳng giới. Ngay tại khoản 3, Điều 5 của Luật này đưa ra khái niệm về bình đẳng giới là việc nam, nữ có vị trí, vai trò ngang nhau, được tạo điều kiện và cơ hội phát huy năng lực của mình cho sự phát triển của cộng đồng, của gia đình và thụ hưởng như nhau về thành quả của sự phát triển đó...".

"... the statement of the presiding judge of the trial still goes against the spirit and basic principles of the Law on Gender Equality. Even in Clause 3, Article 5 of this Law, the concept of gender equality is that men and women have equal positions and roles, are given conditions and opportunities to develop their capacities for the development of community, family and enjoy equally the fruits of that development ..."

400 UNDP. 2013. op.cit.

401 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. op. cit

Women and men often possess limited knowledge about the procedures required to obtain and register their names on the LURC, which has proved to be a serious deterrent to doing so. This is especially the case for rural women and women from certain ethnic minority groups since they are likely to have lower levels of education and less direct experience in dealing with public administration, which can be both complex and time-consuming.<sup>402</sup>

Low educational levels and limited familiarity with legal procedures can also undermine women's entitlement to land and property even in matrilineal groups – where, by tradition, women are expected to possess a primary or equal family property share. For example, in the Raglai and Cham ethnic communities, even though women are entitled to land by local custom, it tends to be men who ultimately make the decision regarding household property because of their higher level of education and wider social network. This has led to a gradual shift in authority over the household property from women to men amongst these two ethnic groups.<sup>403</sup>

The availability of legal aid for women to access justice, in general, and their land rights, in particular, is said to be insufficient, particularly in rural settings. While the total number of lawyers in Viet Nam reached 13,000 in 2020 (which is more than double the 6,200 lawyers reported in 2013<sup>404</sup>), the ratio of one lawyer per 7,500 residents is reportedly much lower than other countries in Asia where the ratio is one lawyer per 1,000-1,500 residents. The paucity of lawyers and legal aid may have underwritten the practice of oral testimony to confer and

confirm land rights. In Hung Yen and Long An, for example, many oral testaments that granted land shares to daughters have been disregarded after the death of their parents, especially in cases when daughters have already married and moved out of the birth parents' house. Additionally, elders are reluctant to make wills in advance as to do so is believed to bring bad health. This has meant that the allocation of a land share after their death is left up to local customary practice which still tends to favour men over women.<sup>405</sup>

In Viet Nam, women's land and property rights acquired during marriage are valid only while the marriage is intact. Therefore, there is a need to safeguard women's rights in the context of marital dissolution, particularly to mitigate their risk of descending into poverty.<sup>406</sup> The groups of women most vulnerable to losing their land and property have been identified as divorced, widowed, and/or women victims of domestic violence. In the absence of a land share from their family of origin, these women are entirely dependent on their husband. By not having their name on the LURC during marriage this may leave them with no land or property claim once divorced or widowed. Women who remarry can also be left without or dispossessed of land or property. In a 2015 survey on the topic in Long An it was discovered that 38 per cent of men and 46 per cent of women agreed that widows would lose their ownership over the land/house of their deceased husband, if they remarried.<sup>407</sup> Furthermore, the risk of forfeiting land and property (in other words, shelter and financial security) is also likely to be one of the reasons that women who experience domestic violence continue to stay with their violent partner.<sup>408</sup>

402 UNDP. 2013. *op.cit.*

403 *Ibid.*

404 Phapluat 5/1/2019. Ca nuoc co hon 13,000 luat su, gan 5000 luat su tap su. <https://plo.vn/phap-luat/ca-nuoc-co-hon-13000-luat-su-gan-5000-luat-su-tap-su-811412.html>

405 ICRW & ISDS. 2018. *Endline Report: Vietnam Land Access for Women (LAW) Program*. Washington DC: ICRW.

406 Kieran, C. et al. 2017. "Gender Gaps in Land Ownership across and within Households in Four Asian Countries." *Land Economics* 93 (2): 342–370.

407 Alvarado, G. and Khuat, TH. et al. 2015. *op.cit.*

408 *Ibid.*

Finally, for poor households, the cost involved in reissuing the LURCs (including notary services, etc.) is near equivalent to a minimum monthly income. This is doubtless a substantial hindrance for poorer households to pursue the legal transfer from a single-titled LURC to a joint one.

**Benefits of joint titling.** Being named in an LURC gives women better access to finance, such as credit, bank loans and insurance products. This increases women's options for employment and business, and research has found that it subsequently improves women's decision-making power, and substantially reduces gender inequality in the household. Indeed, one report on Viet Nam found that having a woman's name on an LURC correlated with higher educational attainment, better employment, and less housework for women.<sup>409</sup> On the other hand, women who did not have their names on LURCs were more dependent economically on their husbands, at higher risk of domestic violence, and more reluctant to divorce.<sup>410</sup>

Due to its proven benefits in improving household access to credit and expenditure, increasing joint titling on LURCs promotes women's empowerment, as well as individual health and wealth.<sup>411</sup> Figure 46 below illustrates a positive correlation between women having their name on a LURC and the household's access to loans. In 2014, the average value of formal loans secured by households with joint title for residential LURC was higher than that for households

with a male sole titled LURC at VND 6.65 million versus VND 4.09 million. The formal loan amount secured by households that had a residential LURC solely titled to a woman was more than double that for households without an LURC, standing at VND 5.49 million as opposed to VND 2.55 million. It appears that when a residential LURC bears the name of both spouses, this raises the value of a household's access to formal credit by 35.1 per cent, and of informal credit by 18 per cent.

Furthermore, households with jointly titled LURCs also have a higher per capita expenditure, namely 1.6 per cent higher in the case of agricultural landholding, and 2.5 per cent for residential land holding in comparison to those with singly titled LURCs. Households with jointly-titled residential LURCs also enjoy higher formal credit levels (by 30 per cent) and informal credit levels (by 17.3 per cent), as well as in the share of non-farm business income (by 1.8 per cent) which suggests an increase in loans for non-farm business. These indicators are crucial in measuring the increase in household wealth, and a strong economic rationale for accelerating the coverage of joint title holding.

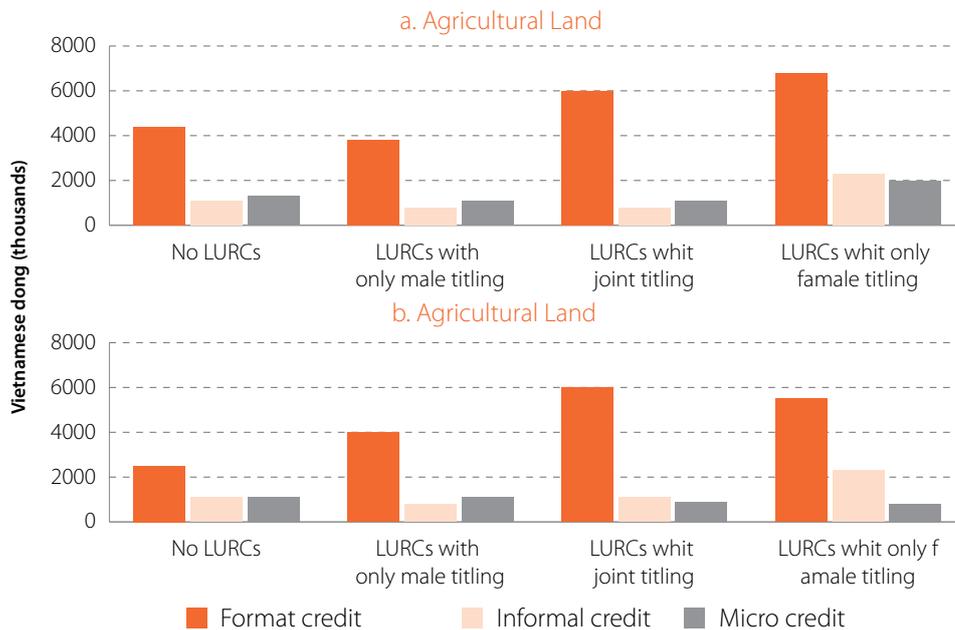
Named inclusion in the LURC seems to also positively affect a person's health and employment. For example, those with names in residential LURCs are 15 per cent more likely to utilise health care, than those without. Additionally, women named in agricultural and/or residential LURCs are also more likely to have worked in a non-agricultural job in the previous year, by 1.8 per cent and 3.1 per cent, respectively. This trend is noticeable particularly amongst ethnic minority women whose likelihood of having wage employment increases by 3.7 per cent, and of non-agricultural farm employment by 3.6 per cent if their names

409 Menon, N., Rodgers, Y. and A. Kennedy, A. 2016. "Land Reform and Welfare in Vietnam: Why Gender of the Land-Rights Holder Matters." *Journal of International Development* 29(4): 454-72.

410 World Bank. 2008. *Analysis of the Impact of Land Tenure Certificates with Both the Names of Wife and Husband in Vietnam*. Washington, DC: World Bank; Do, TB., and Hoang, TS. 2005. "Land Management and Using by Women in Ethnic Minority Group of Co Tu." *Women's Studies Journal* 4 71); Nguyen, NT. 1999. *An Investigation on Female-Mastered Households and Land-Using in Ethnic Minorities*. Oxfam. 1997. *Gender Issues in Granting Land Rights*. United Kingdom: Oxfam.

411 World Bank. 2020. *Benefits of Joint Land Titling in Vietnam*. op.cit.

FIGURE 46. AVERAGE LOAN OF HOUSEHOLD BY TITLING STATUS, 2014



Source: World Bank, 2020

are included in agricultural LURCs.<sup>412</sup>

The positive correlation between land/house joint titling and household economic prosperity is a compelling rationale for promoting the transition from single titled LURCs to jointly titled ones. This appears to be an effective measure for poverty reduction and is projected to help thousands of households escape poverty and reduce the (pre-COVID 19) poverty rate by 0.1 per cent. Furthermore, women’s land rights during marriage as well as in the case of marital dissolution have been said to correlate with family advancement,<sup>413</sup> as well as women’s wellbeing. This suggests that joint titling can act as an effective means to enhance women’s power in the household and to protect their rights if their marriage

dissolves.<sup>414</sup> Even though women’s land rights are protected under several laws in Viet Nam, in reality they are not, for the most part, realized.

Considering the intrinsic benefits of protecting women’s land rights during marriage and in marital dissolution, strengthening women’s land rights offers enormous potential for improving women and children’s wellbeing, which has been confirmed by successive research on gender-sensitive land policy reform in Viet Nam.

412 Ibid.

413 Menon, N., Rodgers, Y. and Nguyen, H. 2014. “Women’s Land Rights and Children’s Human Capital in Vietnam.” *World Development* 54: 18–31.

414 Newman, C., Tarp, F. and van de Broeck, K. 2015. “Property Rights and Productivity: The Case of Joint Land Titling in Vietnam.” *Land Economics* 91 (1): 91–105.

## Recommendations

- To monitor and evaluate the enforcement of women's land rights. Successful land access projects<sup>415</sup> have demonstrated the critical role of communication in raising citizens' demands, enabling women to benefit from joint titling, and avoiding the risk of economic loss in the case of inheritance or divorce. A community-based approach, with the participation of communes and villages, should be applied to strengthen communication on women's land rights, especially in rural and remote areas.
- To prioritise and apply a more active approach to encourage the conversion and issue of LURCs to jointly titled ones so that women can practically benefit from the rights enshrined in the *Land Law*.
- To carry out campaigns to raise awareness about the procedures entailed in changing the LURC status, as well as to sensitize stakeholders to avoid stigmatizing the conversion of LURCs to jointly titled ones. Households seeking to undertake this process should be assisted by local authorities.
- To provide financial aid and schemes to support poor households and those in ethnic minority areas to apply for the re-issue of LURCs as jointly titled.
- To ensure the update and accuracy of sex-disaggregated, land-related data and official statistics.

415 Such as World Bank supported pilot projects in the province of Nghe An in 2002 and later in twenty provinces/ cities nationwide in 2003-2004; the World Bank's Vietnam Land Administration Project in nine provinces (2008-15), and ICRW & ISDS with USAID funded project "Women's Access to Land in Vietnam" in Hung Yen and Long An provinces (2014-18).

## 5.7 INTERNATIONAL LABOUR MIGRATION



**Women account for a third of regular labour migration.** Before COVID-19, in 2019, an estimated 152,530 workers migrated from Viet Nam through regular channels to work overseas, of whom approximately 35 per cent (54,700) were women. Data for 2020 from the Department of Overseas Labour (DOLAB) within MOLISA revealed that 78,641 Vietnamese migrant workers went abroad, of whom 36 per cent (28,786) were women. Women have accounted for around one third of Viet Nam's labour migration for the past decade, a lower level than several countries in the region, including Indonesia, Lao PDR, Cambodia and the Philippines.<sup>416</sup> The top two destinations for both men and women regular migrant workers in 2019 were Japan and then Taiwan, China. Out of the Vietnamese migrant workers travelling to the Republic of Korea (ROK) and Romania most were men, while most of the workers sent to Saudi Arabia were women, almost entirely for domestic work. According to a 2019 ILO report, the highest average monthly salaries for women migrant workers were earned in Japan (VND21,000,000), ROK (VND 19,500,000) and then Taiwan, China (VND13,500,000). Women migrant workers from Viet Nam can earn as much as five times more than their pre-departure income whilst working abroad.<sup>417</sup>

416 It rose to a high point of 35% in 2018, as cited in Spotlight Initiative. 2020. *Listening to the voices of women migrant workers: Gender Mainstreaming in the draft Law on Vietnamese Workers Working Abroad under Contract (Amended)*. Hanoi: ILO; United Nations (UN). 2016. *Viet Nam Gender Briefing Kit*. op.cit Also see ILO ASEAN TRIANGLE Briefing Notes for Lao PDR and Cambodia at: [https://www.ilo.org/asia/publications/WCMS\\_735106/lang-en/index.htm](https://www.ilo.org/asia/publications/WCMS_735106/lang-en/index.htm) and [https://www.ilo.org/asia/publications/WCMS\\_735105/lang-en/index.htm](https://www.ilo.org/asia/publications/WCMS_735105/lang-en/index.htm)

417 ILO. 2019. *More choices, more power: Opportunities for women's empowerment in labour migration from Viet Nam*. Bangkok: ILO.



Women in regular migrant work jobs are concentrated in manufacturing in Japan and Taiwan, China (73 per cent and 71 per cent, respectively), as well as agriculture, fishing and care work (in Japan) and care work (in Taiwan, China). Regular women migrant workers in ROK mostly divided between agriculture (50 per cent) and manufacturing (46 per cent). Migration from Viet Nam to Saudi Arabia by women is almost exclusively for domestic work (97 per cent), with the majority of workers originating from Thanh Hóa province. Remittances sent by Vietnamese migrant workers working abroad (as opposed to Vietnamese nationals living overseas) were estimated by MOLISA to amount to US\$3-4 billion annually, in recent years.<sup>418</sup>

### Still quantifying the impact of COVID-19.

At the onset of COVID-19 in March 2020, there were an estimated 560,000 Vietnamese workers recorded across 40 countries.<sup>419</sup> The sudden onset of COVID-19 and its concomitant border closures and workplace shutdowns have resulted in hardship for migrant workers – those poised for departure and already abroad. In Viet Nam, travel and migration restrictions have seen migrant workers unable to take up job placements despite many having already paid high recruitment fees and related costs to do so. The number of outbound workers, including women, reduced by 50 per cent in 2020, as compared to the previous year. For those who were able to get jobs overseas during this time, the additional costs of covering the quarantine period, testing and vaccination added to the already high recruitment fees and related costs paid by migrant workers. The ILO estimated that by mid-2020, thousands of the 10 million intra-ASEAN

migrant workers had returned to their homes (sex-disaggregated data is not available).<sup>420</sup> DOLAB reported that as of September 2020, 25,000 workers had registered for return from Taipei, China and approximately 13,000 migrant workers had registered for return from Japan (data not sex-disaggregated).<sup>421</sup> Given the substantial number of irregular migrant workers, it is likely that registration numbers under-represent the population of migrant workers facing difficulties remaining abroad or seeking to return. A global study by ILO early in the onset of the pandemic (June 2020) found that nearly one half of women domestic workers in the Asia Pacific region were 'significantly' negatively impacted by COVID-19. This included job loss, salary loss, increases in working hours, and tasks without concomitant salary increase.<sup>422</sup>

A separate ASEAN-regional rapid assessment by the ILO (2020) of 304 migrant workers (men and women) identified a range of hardships faced by workers, including: workplace closures, loss of income and knock-on effects for rent and food security, visa expiry and a lack of access to services and social protection, particularly unemployment benefits. Almost one third had experienced violence and harassment.<sup>423</sup> Inadequate infection control protections in high density workplaces was also a risk. Both the pre-departure and overseas situations increase the likelihood that migrant workers will turn to informal, riskier livelihood strategies carrying a higher risk of exploitation and harm. It can be presumed that this would include gendered forms of exploitation for women, including

418 Spotlight Initiative. 2020. *Listening to the voices of women migrant workers: Gender Mainstreaming in the draft Law on Vietnamese Workers Working Abroad under Contract (Amended)*. Op.cit.

419 ILO. Department of Overseas Labour, *Labour Migration Data 2019*.

420 ILO. "Supporting Migrant Workers during the Pandemic for a Cohesive and Responsive ASEAN Community - 13th ASEAN Forum on Migrant Labour." Accessed 10 May 2021. [https://www.ilo.org/asia/events/WCMS\\_755357/lang--en/index.htm](https://www.ilo.org/asia/events/WCMS_755357/lang--en/index.htm)

421 DOLAB data provided by ILO.

422 ILO. June 2020. Impact of the COVID-19 crisis on loss of jobs and hours among domestic workers. Geneva: ILO.

423 ILO. 3 June 2020. Experiences of ASEAN migrant workers during COVID-19: Rights at work, migration and quarantine during the pandemic, and re-migration plans. ILO Brief. Bangkok: ILO.

sexual harassment, abuse and violence – in the workplace and public settings. Viet Nam hosted the 13th ASEAN Forum on Migrant Labour (AFML) in 2020, focused on the pandemic response. The AFML adopted 12 recommendations including the need for gender-responsive policies tailored to the ‘needs and realities’ of women migrant workers, with protection from gender-based violence and access to essential services.<sup>424</sup>

### **New legislation with protections and improvements for women migrant workers.**

In December 2020, the Vietnamese President’s Office announced the new *Law on Contract-Based Vietnamese Overseas Workers 69/2020/QH14 (Law 69)* as adopted by the 14th National Assembly of Viet Nam, which will come into effect in January 2022. It includes several enhanced protections for migrant workers, including women. Significantly, the law has tightened the regulations governing recruitment agencies, including prohibiting brokerage commissions being passed on to migrant workers and setting a general ceiling on fees that can be charged.<sup>425</sup> This is beneficial to both men and women seeking to work abroad, and reduces the risk of labour exploitation, including forced labour and human trafficking, associated with workers in high debt to recruitment agencies and employers.<sup>426</sup> However, with women typically earning less, lower recruitment fees may allow more Vietnamese women to consider regular overseas labour migration as an option. It may also reduce the number of men and women resorting to irregular channels to work abroad

on account of the prohibitive recruitment fees and related costs associated with regular migration.

Law 69, for the first time, specifies that the government policy is to ensure gender equality in labour migration, free of discrimination including discrimination on the basis of gender in recruitment and to develop gender-responsive measures to protect Vietnamese migrant workers. The new Law has strengthened worker protections against discrimination and abuse, including the right of a worker to unilaterally terminate a contract in situations of threats, sexual harassment, maltreatment or forced labour – a protection that should be especially beneficial to women migrating for work. The new Law removed the requirement for the gender of workers to be specified in labour supply contracts which helps to prevent the unintended consequence of requiring a specific gender for specific work (for example, men for construction). Experience has shown that recruitment agencies respond to requirements demanded (or perceived as demanded) from employers on the specific gender for a specific job, and the inclusion of this clause allows room for recruitment agencies to offer either men or women for positions. The new Law also provides for legal aid for workers experiencing abuse, violence or discrimination whilst working abroad, though there is currently no mechanism for operation of this provision. Furthermore, recruitment agencies are obliged to provide pre-departure training that must include information on forced labour, trafficking in person prevention, gender equality, sexual abuse, and gender-based violence prevention skills.<sup>427</sup> While the power differential faced by women migrant workers against recruitment agencies and employers is considerable, on account of their combined gender and

424 ILO. “Supporting Migrant Workers during the Pandemic for a Cohesive and Responsive ASEAN Community - 13th ASEAN Forum on Migrant Labour.” Accessed 10 May 2021. [https://www.ilo.org/asia/events/WCMS\\_755357/lang-en/index.htm](https://www.ilo.org/asia/events/WCMS_755357/lang-en/index.htm)

425 Further ceilings for recruitment fees and related costs will be included in forthcoming subordinate legislation. A Decree with a ceiling for deposits and a Circular with ceilings for service fees that are specific to different destinations and industries are being drafted in 2021.

426 ILO. 2020. “Revision of the Law on Contract-Based Vietnamese Overseas Workers 69/2020/QH14.” Accessed 8 May 2021. [https://www.ilo.org/dyn/migpractice/migmain.showPractice?p\\_lang=en&p\\_practice\\_id=208](https://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=208)

427 ILO. 18 December 2020. “ILO commits to supporting Viet Nam to enforce new law on Vietnamese migrant workers.” Accessed 12 March 2021. [https://www.ilo.org/hanoi/Informationresources/Publicinformation/Pressreleases/WCMS\\_764704/lang-en/index.htm](https://www.ilo.org/hanoi/Informationresources/Publicinformation/Pressreleases/WCMS_764704/lang-en/index.htm)

migration status, these explicit provisions in law are a positive step towards labour migration being safer and more profitable for women. The Law provides that workers are entitled to social insurance entitlements while abroad, however maternity related provisions are not explicit.

Recommendations proposed that would have further strengthened the gender-responsiveness of the Law, as recommended by the CEDAW Committee, ILO<sup>428</sup> and other policy briefs<sup>429</sup>, include: a requirement that employment agencies demonstrate the capacity to address gender-based needs and discrimination, including harassment and violence, in order to obtain a recruitment license; ensure the non-punishment and non-stigmatisation of trafficking victims; and to ensure an equitable provision of employment assistance upon return. It has also been recommended that the Fund for Overseas Employment Assistance is able to be used for gender-based welfare needs, including in response to experience of violence and harassment.

During 2021, DOLAB with MOLISA will work to revise five pieces of subordinate legislation to give more detail and enable the legal enforcement of the new law, which will have the capacity to further enhance protections for women migrant workers.<sup>430</sup> These sub laws will be adopted in 2021, and come into

force in January 2022.

### **Factors shaping the migration experience for women.**

Labour migration is a social as well as economic process, and an experience where gender roles and inequalities can be magnified on account of an individual's migrant worker status and isolation from home networks. Men's and women's needs and risks differ through the migration process, as well as reintegration and outcomes upon return.

Consultation with women migrant workers conducted by the Viet Nam General Confederation of Labour with the support from the ILO in 2017, show that systemic discrimination against women and preference towards men reduced the benefits of labour migration for women. For example, many women could not afford the high costs involved in getting a well-paid job abroad, as they did not have land or house certificates from their family or husband's family, to get a loan from the bank. They instead had to choose lower paid jobs with poorer rights protection, such as domestic work or jobs through irregular channels. Some married women said that as they do not have property, they have limited autonomy regarding their migration and the use of remittances. For example, one woman shared that she lost everything after she returned and divorced, because all the remittances she sent back were used to build a house on her parents in law's land, of which she did not have any ownership.

Marriage breakdown has been highlighted as both a trigger and consequence of labour migration. One divorced woman shared that she was felt pressure to migrate after her marriage broke down, not only because she had to earn money to support her children, but also to escape from the discrimination and prejudice from the community against divorced women. Other migrant workers said they felt guilty for not fulfilling their obligations

428 Spotlight Initiative. 2020. *Listening to the voices of women migrant workers: Gender Mainstreaming in the draft Law on Vietnamese Workers Working Abroad under Contract (Amended)*. op. cit

429 McAdam, M. 2020. Briefing Note on the Draft Law on Vietnamese Workers Working Abroad under Contract of the Socialist Republic of Viet Nam (Draft Law 72): Implications for Trafficking in Persons. Bangkok: ASEAN Australia Counter-Trafficking (ASEAN-ACT).

430 Decree detailing and guiding the implementation of a number of articles of the *Law on Vietnamese workers working abroad under contract*, Prime Minister's Decision on the Overseas Employment Support Fund, Circular regulating the preparation of labour resources, contractual conditions and form of contracts, registration documents, orientation education, Circular regulating e-reporting, and Decree 28 on *Administrative Penalties for Violations Arising from Labour, Social Insurance and Sending Vietnamese Workers Abroad under Contract*.

of taking care of their children and husbands while working abroad. Some participants also blamed themselves, and in turn were blamed by their family and community, for the breakdown of their marriage, or for any negative things which happened to their children and their family. Many returned women migrant workers continue to face difficulties in reintegration within their families and communities. Most women said that they felt there was an emotional distance with their children and their husband, even three years after returning. Women migrant workers do face 'dishonour' related to gender norms with respect to women who have left their communities, given that migration is often considered a derogation of traditional gender roles. Often this stigma is articulated through community rumours suggesting that women migrant workers engaged in sexual relationships while abroad, or even worked within the sex industry, regardless of the veracity of these claims. Overall, women suggested that more information relating to the living and working conditions of migrant workers abroad should be provided to people and communities at home, so that they can understand more about the actual situation faced abroad and be better supported.

An ILO 2019 study examined the empowering and disempowering effects of migration for women from Viet Nam to offer recommendations for improving the migration experience and its net social and economic benefits for women. Comparing the responses of 323 returned migrant women with a sample of non-migrant women from the same province, recalling the situation in 2012 and then in 2018, the study findings are summarised below. Notably, women migrant workers in the study were aged 35 years on average, 88 per cent were married, and almost all had children (93 per cent), on average two.

Prior to departure, women migrant workers earned around 17 per cent less than non-migrant women, experienced higher unemployment (one third versus one fifth, respectively), and had lower post-secondary educational attainment, clearly demonstrating the 'push' factors for migration.

Women had gained in economic power through labour migration, compared with non-migrants, and had been able to invest in assets such as land, motorbikes and housing upgrades, exemplifying the 'pull' factors of migration.

Women migrant workers experienced larger increases than non-migrant women in decision making power in their families, especially regarding marriage, housing and family planning. However, the time spent on family care tasks, cleaning and village connections increased upon return. Women from rural areas, reported less change in family social power, with fewer rural women reporting control over how remittances were spent.

The migration destination was more predictive of social outcomes than origins, across all empowerment metrics reported by women. Labour migration to East Asia had the most reported favourable impacts on women migrant workers, followed by South East Asia and then Saudi Arabia. Notably, irregular migration to Thailand generated less economic benefit for women, but it yielded some of the most positive social benefits such as lower reports of workplace abuse, and increased sharing of household tasks with spouses and management skills. This was likely associated with the freedom to change jobs and the option of irregular cross-border migration as a family.<sup>431</sup>

431 ILO. 2019. *More choices, more power: Opportunities for women's empowerment in labour migration from Viet Nam*. op.cit

## Recommendations.

- Undertake gender-sensitive analysis of the experience and impacts of COVID-19 upon migrant workers, both those workers who have returned and those who have remained abroad. This is pertinent to both regular and irregular migrants, although reaching irregular migrant workers will be more challenging.
- Support and report on the implementation of the new *Law on Contract-Based Vietnamese Overseas Workers*, including implementation of the new provisions including the removal of the gender-specification for specific roles, and provision of pre-departure training that includes information on sexual harassment and GBV.
- Assess the impact of the provisions on the ceiling on fees on women's participation in the formal labour export program, and changes in the reporting of sexual harassment and GBV on account of legal assistance and pre-departure training.

## 5.8 ACCESS TO FINANCE



**Gender barriers and bias.** Men and women both experience constraints in access to finance in Viet Nam, however experiences and pre-conceptions diverge along gender lines. Women enjoy the same rights as men to open bank accounts at formal financial institutions and to obtain credit, regardless of their marital status (*Law on the State Bank of Viet Nam (2010) and Law on Credit Institutions (2010)*). Subsequently, there is little gender difference in formal bank account ownership in Viet Nam, on average. The Global Findex

Database (2017) reported that: just under one third of men and women (31 per cent and 30 per cent, respectively), have a bank account; 20 per cent of men and 21 per cent of women used the internet to pay bills or make online purchases in the previous year; 13 per cent of men and 16 per cent of women had saved at a financial institution in the past year; and equivalent rates of men and women saved using a savings club or a person outside of the family.<sup>432</sup> While the gender gap is negligible, it is clear that the majority of men and women in Viet Nam remained unbanked or under-banked (ie with a dormant account).

In terms of access to commercial finance, the IFC (2017) estimated that the financing gap for women-owned enterprises in Viet Nam was USD 1.12 billion. This represents a significant shortfall of capital, hampering the growth of women-owned enterprises. Furthermore, owing to their mostly small scale, women-owned SMEs tend to have limited business planning and accounting systems. This creates difficulties for them to develop financial plans to submit to commercial banks and qualify for loans. Lastly, the IFC also found that commercial banks themselves do not consider women-owned SMEs as principal customers but rather as potential customers. There is, therefore, no significant immediate incentive to assist women-owned SMEs.<sup>433</sup>

**Dispelling myths about women's financing preferences and performance.** However, beneath the national averages, gender differences emerge. An IFC study in 2017<sup>434</sup> highlighted and dispelled seven myths

432 World Bank. 2018. *The Global Findex Database 2017: Measuring Financial Inclusion and the FinTech Revolution*. Washington DC: World Bank.

433 International Finance Organisation (IFC). 2017 *Women-owned enterprises in Vietnam: Perceptions and Potential*. Washington DC: IFC; UN Women. 2020. *A Review of the Implementation of Small and Medium Enterprise (SME) Support Legislation and the Capacity Building Needs and Training Services for Women-Owned SMEs and Women Entrepreneurs in Viet Nam*. Hanoi: UN Women.

434 International Finance Organisation (IFC). 2017 *Women-owned enterprises in Vietnam: Perceptions and Potential*. op.cit.



attached to women entrepreneurs, including financing preferences. These myths included:

that women are more risk averse than men in seeking finance. The study found similar patterns between men and women, whereby a third of male and female business owners preferred to apply for finance once they had a good sales record.

that women have other priorities and are less likely to pay back loans. The IFC reported a lower proportion of non-performing loans among women entrepreneurs.

that women have lower financial management skills than men and require more education. Study results negated this finding but did find that women particularly highlighted the complexity and length of bank application processes.

The IFC further found that women were twice as likely as men to use a credit card for their business financing needs, but that the average value of loans for firms of equivalent size showed little gender difference. Around one third (37 per cent) of women-owned SMEs in the study had accessed a loan in the previous two years, compared to 47 per cent of men-owned SMEs. Although women tended to receive less than what they applied for and lower than the average for men. Overall, the study found a favourable climate for women-owned businesses in Viet Nam, relative to regional peers. However, with some preconceptions impacting women's access to financial services.

**Financial inclusion variations.** A 2020 study on the benefits and challenges of transitioning to digital wage payments for 15 factories from the garment, seafood processing and electronics sector found that the majority of women workers were unbanked. An estimated 60 per cent of women workers received their wages in cash, and those who

did receive a wage into a bank account simply withdrew the entire amount on payday. Lack of familiarity with and understanding of digital financial services was the primary barrier to uptake. The inability to use these services for everyday expenses and to send money to family in remote areas also discouraged use.<sup>435</sup> The CEDAW Committee has raised concerns about the limited access to financial resources faced by most women in the agricultural and informal sectors, as well as by older women and women from ethnic minorities. The discrimination faced by women in this regard is linked to the requirement under Decree No. 41/2010/ND-CP for land titles to be presented to obtain loans from credit institutions, as many women do not have such titles.<sup>436</sup>

### **Recommendations.**

- Support the banking sector to tailor its products and services to women in business (all firm sizes), including the introduction of credit registries to support non-collateral based financing.
- Ensure that the introduction and induction into digital financial services is extended to women-intensive workplaces so that women have access to financial management tools.
- With the high penetration of the mobile phone network in Viet Nam, invest in programs that promote digital literacy among rural and ethnic minority women so that they too have access to more secure financial management platforms.

<sup>435</sup> Women's World Banking and International Labour Organization. 2020. *From Cash to Digital Payments in Vietnam: Win-Win for Enterprises and Women Workers*. New York. Women's World Banking.

<sup>436</sup> UN Women and IFGS. 2016. Cited in Organisation for Economic Co-operation and Development (OECD). 2019. *Social Institutions and Gender Index: Viet Nam*.

## 5.9 ACCESS TO INFORMATION AND TECHNOLOGY



### ICT as a bridge to future jobs and self-reliance.

In the space of a decade, the quality, affordability, download speed, and penetration of telecommunications and digital devices has transformed personal communications and business operations in Viet Nam. Information and technology, under the umbrella of STEM (Science, Technology, Engineering and Mathematics), is a priority skill for the future and more tech-intensive labour market. It is also critical in light of the impacts of COVID-19 and the wholesale transition to online platforms for schooling, marketing, trade, as well as access to information and services – including for life-saving assistance in the case of violence against women and for general business needs. Therefore, access to IT and professional skills acquisition in IT will be a competitive advantage for both Viet Nam and individuals. As a rapidly growing area, developments are outpacing administrative data collection and so there are limited data points for comparing men and women's access.

On average, internet usage rates were higher for men than women in both 2016 and 2018, with data from the latter showing that 56.3 per cent of men use the internet compared with 46 per cent of women. However, rates are essentially on a par for men and women aged under 25 years.<sup>437</sup> While there are no national statistics on smartphone use, an ADB fintech study (2020) which sampled 1,058 houses found that men tended to use smartphones more than women – 67.5 per cent and 60.6 per cent, respectively.<sup>438</sup>

437 General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*. op.cit.

438 Morgan, P. and Trinh, LQ. June 2020. *Fintech and Financial Literacy in Viet Nam: ADB Institute Working Paper Series No 1154*. Manila: Asian Development Bank.

The ADB study further observed that men were slightly more inclined to adopt fintech services, but the difference was marginal. For example, 18 per cent of male respondents in their study used an e-banking service, while the corresponding figure for female respondents was 15 per cent.<sup>439</sup>

A separate ADB study on Viet Nam (2018) found a correlation between a firm's investment in ICT and an increase in the share of its female workforce, especially when recruiting college-educated workers. In Viet Nam, men outnumber women in science, technical, engineering, and mathematics (STEM) degrees, in part due to traditional beliefs that men are more capable and suited to performing technical roles.<sup>440</sup> However, taking a regional perspective, the country has a relatively high proportion of female graduates completing tertiary education in STEM fields, estimated at 36.5 per cent. This is ahead of neighbouring countries including Thailand, Singapore and the Philippines.<sup>441</sup> While data does not exist on women's sub-fields of study, their progression to the workforce or their share of STEM jobs, it does highlight the potential for Viet Nam to build upon this foundation and expand employment opportunities for women in a higher skilled labour market over the long term.

### Recommendations.

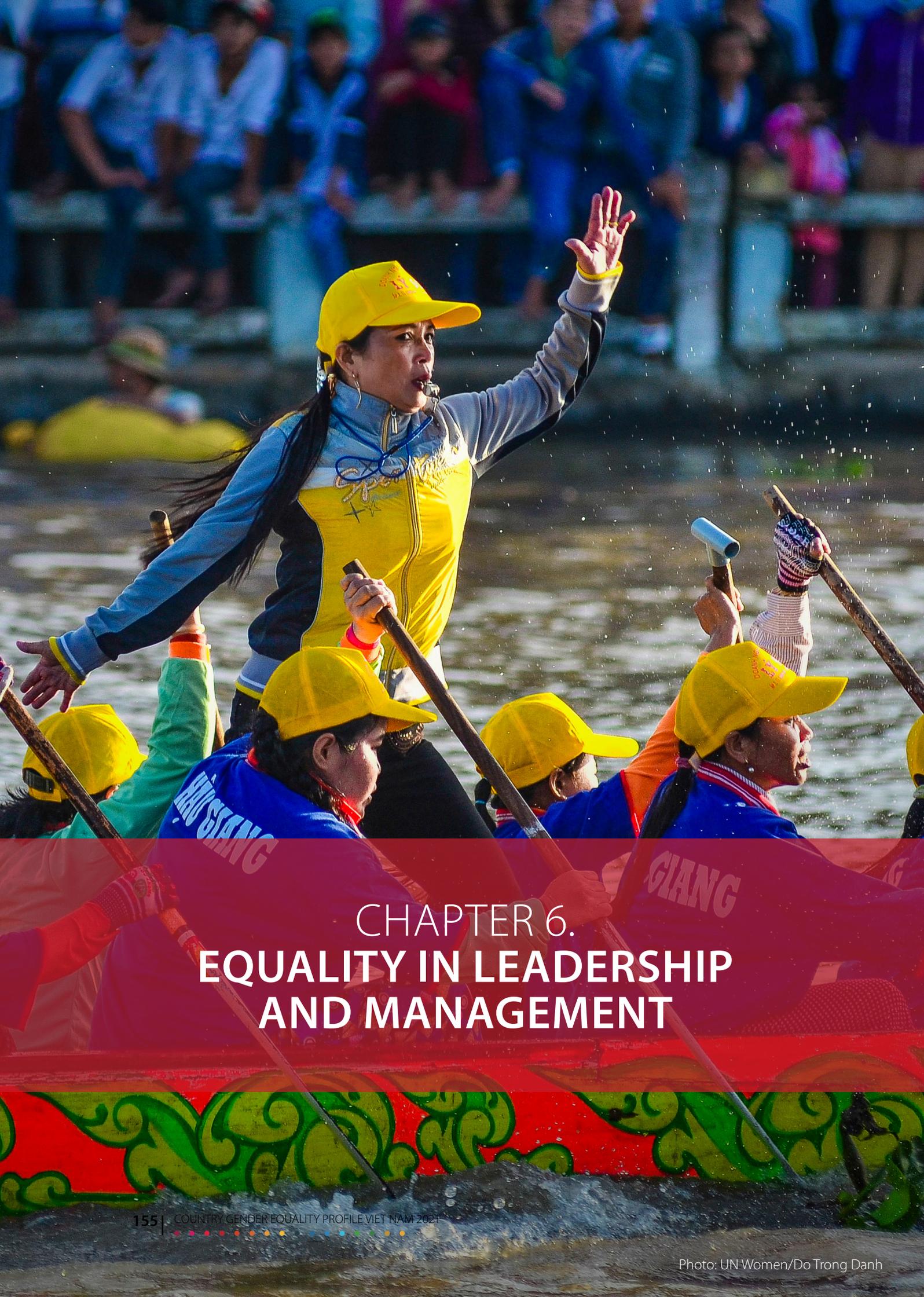
- Support advertising and communications campaigns that market new technologies, e-services, and devices to both men and women.
- Collect and report sex-disaggregated data at the sub-field level of STEM enrolments and formulate programs and communication campaigns to redress gender imbalances in STEM enrolment.

439 Ibid.

440 Chun, N. and Tang, H. May 2018. *Do Information and Communication Technologies Empower Female Workers? Firm-Level Evidence from Viet Nam*. ADB Economics Working Paper Series: No. 545. Manila: ADB.

441 APEC Policy Support Unit. 2019. *APEC Women and the Economy Dashboard*. Singapore: APEC.





## CHAPTER 6. EQUALITY IN LEADERSHIP AND MANAGEMENT

## 6.1 WOMEN'S REPRESENTATION IN POLITICS

**Legal and policy frameworks.** For more than a decade now, Viet Nam has issued normative documents and policies to promote gender equality in political participation. Provisions on gender equality in politics were first stipulated in the *Law on Gender Equality* (2006). This includes recognition of gender equality in the field of politics, at all administrative levels, and to ensure an 'appropriate proportion... in accordance with national gender equality goals' (Article 11). It also specifies the responsibilities of the Viet Nam Women's Union to recommend qualified women for leadership roles and of political and socio-political organizations to promote women equally (Articles 30 & 31), as well as the stipulation of measures for obstructing gender equality in politics, including impeding women's nomination for leadership positions (Articles 40 & 42). The *Constitution* (2013) reiterates that male and female citizens have equal rights in all fields, and that the state has a policy to guarantee equal rights and opportunities (Article 26). The first *National Gender Equality Strategy 2011-2020* set targets for women's representation by 2020, namely for Party Committees at all levels (25 per cent and above), National Assembly and People's Councils (35 per cent and above), and that more than 95 per cent of Ministries, ministerial agencies, government agencies and People's Committees will have 'key female leaders' (i.e. Head or Deputy Head/Chair). Lastly, the *Law on Election of Deputies to the National Assembly and People's Councils* (2015) introduced the quota that at least 35 per cent of total official candidates for the National Assembly and People's Council are women (Articles 8(1)

and 9(1)(2)). This was adopted ahead of the election cycle for the 2016-2021 term (XII) of the National Assembly and People's Councils. These laws are also complemented by resolutions and directives on personnel and pipeline planning for leaders, which reference various quotas for women's representation in Party Committees and leadership.

Over the past 10 years, there has been a gradual rise in the percentage of women's participation in leadership at the different administrative levels. However, the above targets have not yet been met. Viet Nam has therefore not achieved the 30 per cent 'critical mass' threshold identified as necessary for women to have a visible impact on the style and content of political decision making until the National Assembly Elections in May 2021.<sup>442</sup> It is frequently stated that as women's participation in politics increases, it is hoped that more women will become involved and consider leadership roles, and advocate for policies and investments beneficial to women.

### Women's Membership of the Communist Party of Viet Nam and its Committees.

Currently, the Communist Party of Viet Nam (the Party) has more than 5 million members.<sup>443</sup> Women account for 33 per cent of Party members. Women's representation within the Executive Committee of the Communist Party is lower, with women accounting for less than 20 per cent and 10 per cent at the local and central committee levels, respectively.

442 United Nations. 1995. *Beijing Declaration and Platform for Action*. Fourth World Conference on Women. Beijing: United Nations.

443 Data is current to June 2019. National Conference on Review of the Party's Building 2019 by the Central Personnel Committee. Accessed 1 October 2020. <https://plo.vn/thoi-su/chinh-tri/dang-cong-san-viet-nam-hien-co-52-trieu-dang-vien-879702.html>

TABLE 16: PERCENTAGE OF WOMEN MEMBERS OF THE COMMUNIST PARTY, 2005-2019

Year	per cent
2005	20.9
2010	32.8
2016	31.0
2017	33.1
2018	33.3
2019	33.02

Source: GSO. 2019. Gender Statistics in Viet Nam 2018<sup>444</sup>

The Party has a paramount role in formulating national policy and strategy, and women's low representation throughout the institution means that they have fewer opportunities to influence the country's development and critical national decisions. Moreover, equal representation of women in the Party

444 This is the latest data available as of June 2021.

structures is an important condition for their further advancement into the leadership positions of the political system.<sup>445</sup>

The data indicates that since 2010, women's membership in the Communist Party has remained almost unchanged, accounting for around 30 per cent since 2010. While women members of the Communist Party Executive Committees have increased in the last three terms, it does not meet the targets (25 per cent) set by the NSGE 2011-2020. It should be noted, however, that for the term 2020-2025, among 63 provinces, nine women were selected as provincial Party Secretaries (14.3 per cent), which is the highest proportion to date.

445 Viet Nam's political system includes the Communist Party, Government, and the Fatherland Front and its member organizations, and the following social-political organizations – Women's Union, Youth Union, Trade Union/General Confederation of Labour, Farmers' Union, and the Veterans Association)

TABLE 17: PERCENTAGE OF WOMEN MEMBERS OF THE COMMUNIST PARTY EXECUTIVE COMMITTEES<sup>446</sup>

	2010-2015 (%)	2015-2020 (%)	2020-2025(%)
<b>Executive Committee Members</b>			
Central level	8.9	9.4	<b>8.5</b>
Provincial level	11.8	12.6	<b>16.0</b>
District level	14.7	15.5	20.1
Commune level	15.1	20.8	25.6
<b>High-ranking Leaders and Heads of the Party's Structures</b>			
Politburo Members	7.0	15.8	<b>5.5</b>
Provincial Party Secretaries	0.3	11.1	<b>14.3</b>
District Party Secretaries	5.5	-	9.7
Commune Party Secretaries	7.3	-	11.4

Sources: General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*; Women's Union. 2020. Report on results of female cadres selected in the Party Committees at the local levels for the term 2020-2025.

446 Munro, J. 2012. *Women's representation in leadership in Viet Nam; Women Unions. 2020. Report on results of female cadres selected in the Party Committees at the local level for the term 2020-2015*. November 2020

**Women’s representation in the National Assembly (NA) and its Committees.** As of May 2021, women account for 30.26 per cent of National Assembly seats (151 of 499 seats). Women’s representation had been in steady decline since 2002, hovering between 24 per cent and 27 per cent over the past 20 years. *Women’s National Assembly participation has always been higher than their representation within Cabinet and the Party’s committees.* The percentage of women elected as National Assembly Deputies for the 2021-26 term is the highest proportion of women in parliament since 1976. It is the second time that Viet Nam has achieved the 30 per cent ‘critical mass’ threshold whereby women are more easily able to impact the format and substance of decision making. The first time that women’s representation exceeded 30 per cent was in the historic 1975-1976 term.

**TABLE 18: WOMEN’S REPRESENTATION IN THE NATIONAL ASSEMBLY, 2002-2026**

Term	Women’s representation (%)
2002-2007	27.3
2007-2011	26.0
2011-2016	24.4
2016-2021	26.8
2021-2026	30.26

Source: General Statistics Office. 2019. Gender Statistics in Viet Nam 2018; United Nations. 2016. Viet Nam Gender Briefing Kit; The National Election Council 2021.

The 2016-2020 term also marked some advances in women’s political empowerment. It was the first time that a woman was appointed Chair of the National Assembly, that three Politburo members were women out of a total

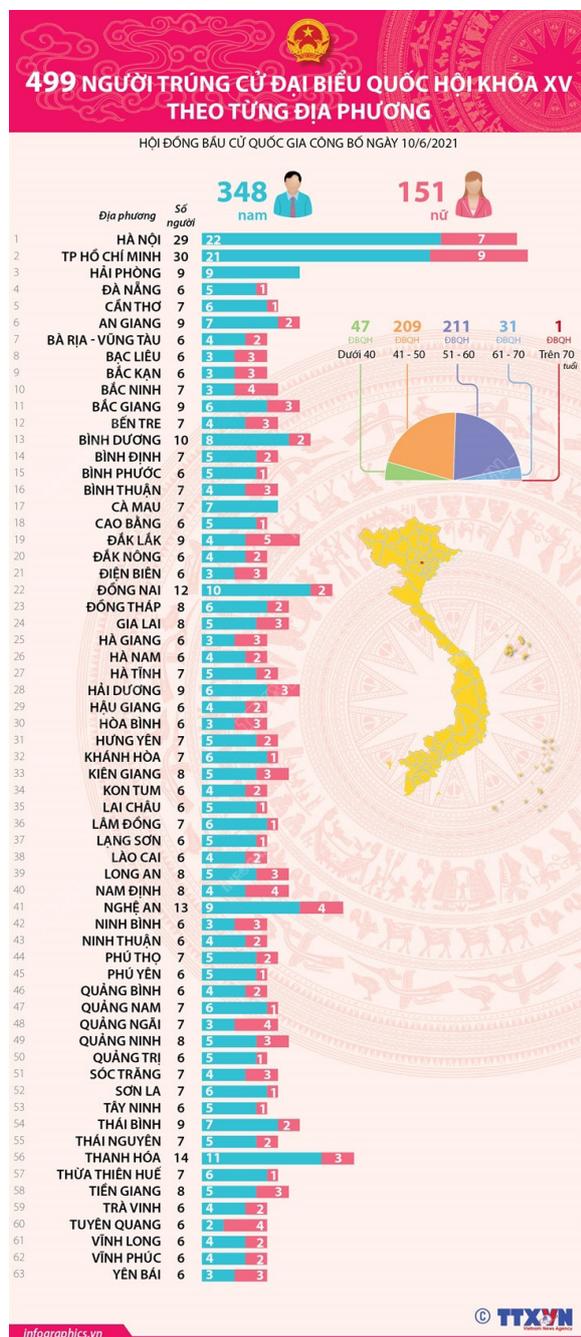
of 19, or 16 per cent,<sup>447</sup> and that a woman proposed a bill in the National Assembly.<sup>448</sup> However, while starting the term with two female ministers, between 2019 and November 2020, there was not one woman among the 27 members of the Government cabinet. Even when there was one female minister, the World Economic Forum duly noted that it was ‘one of the world’s lowest ratios.’<sup>449</sup> For the 2021-2026 term, of the 27 government cabinet members, two are women.

In comparative terms, Viet Nam is currently rated above the global and Asia regional averages for the proportion of women’s parliamentary seats, at 25.2 per cent and 20.6 per cent<sup>450</sup>, respectively. According to the Inter-Parliamentary Union’s index on Women in National Parliaments, *as of 1<sup>st</sup> June 2021, Viet Nam was ranked 53<sup>rd</sup> out of 192 countries<sup>451</sup> with the 30.26 per cent representation of women in parliament following the May 2021 Election.*

The results of the National Assembly election in May 2021 reveal that across Viet Nam’s 63 provinces/cities, 35 provinces have achieved above 30 per cent representation of women, 10 provinces have achieved between 22 to 29 per cent representation; 16 provinces have achieved between 14 to 20 per cent representation; and only 2 provinces have no women Deputies. The ten provinces with the highest proportion of women National Assemblies Deputies, ranging from 50 per cent to 66.7 per cent are: Tuyen Quang, Quang Ngai, Ninh Binh, Nam Dinh, Hoa Binh, Dac Lac, Dac Nong, Bac Kan, Bac Lieu and Ha Giang.

447 Nguyễn Thị Kim Ngân (Chair of the National Assembly), Tông Thị Phóng (Deputy Chair) and Trương Thị Mai (Chair of the National Assembly Committee on Social Issues).  
 448 Data on the bill from UNDP’s research into women in leadership under the Viet Nam Provincial Governance and Performance Index (PAPI) program.  
 449 World Economic Forum (WEF). 2019. *Global Gender Gap Reports 2020*. Geneva: WEF.  
 450 Data is current to October 2020. Global and regional averages of women in national parliaments. Accessed 29 December 2020. <https://data.ipu.org/women-averages>  
 451 Ibid.

FIGURE 47: NUMBER OF WOMEN NATIONAL ASSEMBLY DEPUTIES BY SEX AND BY PROVINCE, 2021-2026 TERM



Source: Viet Nam News Agency<sup>452</sup>

Alongside women’s lower level of representation in the National Assembly, women have a higher ratio of part-time members. Around 73.8 per cent of all female deputies are part-time, as compared with 66.4 per cent of male deputies.<sup>453</sup> Overall, women constitute around 24 per cent of the total number of part-time deputies.<sup>454</sup>

A deeper look at female representation in National Assembly Committees reveals a gender difference in the issues covered. Women are concentrated in the Ethnic Council (51.4 per cent), and the Committees for Culture, Education & Youth (48.6 per cent) and Social Affairs (43.9 per cent). Women’s participation is extremely low in the more powerful committees such as Security & Defence (6.25 per cent), Economic (8.8 per cent) and Finance and Budget committees (15.2 per cent). In terms of Committee leadership, 8 out of 10 committees are led by men (Legal and Social Affairs). The position of the Deputy Head of the Committees is also dominated by men.

452 <https://cafef.vn/infographics-499-nguoi-trung-cu-dai-bieu-quoc-hoi-khoa-xv-theo-tung-dia-phuong-20210611065737124.chn>

453 Data from the official National Assembly website, cited in Tran Thi Minh Thi. 2017. *Gender Equality in Politics: Analysis from institutional, cultural aspects and international integration*. Social Sciences Publishing House: Hanoi.

454 <https://quochoi.vn/>

TABLE 19: NUMBER AND PERCENTAGE OF WOMEN IN NATIONAL ASSEMBLY COMMITTEES, 2016-2020

Committees	Committee Head		Committee Deputy Head		Standing Committee Members		Committee Members	
	Female	Male	Female	Male	Female	Male	Female No & (%)	Male
Legal	0	1	1	4	2	2	8 (25.8)	23
Judicial	1	0	0	5	2	1	6 (20)	24
Social Affairs	1	0	2	3	2	1	18 (43.9)	23
Economic	0	1	1	3	0	3	3 (8.82)	31
Finance & Budget	0	1	0	5	2	2	5 (15.2)	28
Culture, Education & Youth	0	1	1	2	1	3	18 (48.6)	17
Science, Technology & Environment	0	1	0	4	2	1	7 (24.1)	22
External Affairs	0	1	0	3	1	4	7 (33.3)	14
Security & Defence	0	1	0	4	1	3	2 (6.3)	30
Council of Ethnic Minorities	0	1	2	3	2	1	19 (51.4)	18
Total Number	2	8	7	36	15	21	93	230
% women	20		16.3		41.7		28.*	

Source: Data calculated from the official National Assembly website. <https://quochoi.vn/>

**For the term 2021-2026:** There are no women among 5 the top leaders of the National Assembly (one chair and four vice chairs). Three women are elected among 18 members of National Assembly Standing Committee. Regarding the leadership of the National Assembly Committees, two women are appointed as chairs of Social Affairs Committees and Judicial Committees.<sup>455</sup>

#### Female Deputies and Leaders of People's Councils

While there has been a minor fluctuation in women's representation at the National Assembly, the proportion of female Deputies of the People's Councils at all levels has increased over recent terms. However, this still

<sup>455</sup> <https://quochoi.vn/tintuc/Pages/tin-hoat-dong-cua-quoc-hoi.aspx?ItemID=57111>

does not meet the targets set in the *National Strategy on Gender Equality 2011-2020*. The targets for this period were that women's representation would reach 30% for the 2011-2016 term, and 35% for the 2016-2020 term. Compared to the set targets, only 18 out of 63 provinces/cities, 16 out of 63 provinces /cities and 14 out of 63 provinces/cities achieved the target of 30 per cent of female deputies of People's Council, at provincial, district and commune levels respectively, for the election 2016-2020.<sup>456</sup> The 2021-2026 term is remarked as with the highest proportion of female Deputies of the People's Councils at all levels at around 29 per cent.

<sup>456</sup> Calculation is based on the data from the election results of provinces.

TABLE 20: PERCENTAGE OF FEMALE DEPUTIES IN PEOPLES' COUNCILS

	Provincial Level	District Level	Commune Level
1997-2004	21.1	21	16.6
2004-2011	23.9	23	19.5
2011-2016	25.2	24.6	21.7
2016-2021	26.6	27.5	26.6
2021-2026	29.0	29.08	28.98
% of Provinces that met the 30% target in 2016-2020	28.6	25.3	22.2
<b>% of provinces that met the 30% target in 2021-2026</b>	<b>41.3</b>	<b>39.7</b>	<b>33.3</b>

Source: General Statistics Office, 2019. Gender Statistics in Viet Nam, 2018. The National Election Council, 2021. Vietnam Women's Union, 2021. Report on Election Results of Female Deputies, the 15th National Assembly and the People's Councils at all levels for the term 2021-2026 and Viet Nam Women's Union participation in the Election Work

Research has identified the differences in election results between regions for the 2016-2020 term. The Central North region had the lowest proportion of female members of People's Councils at the provincial level (21 per cent) followed by the Red River Delta (22.5 per cent), while the Southeast region had the highest rate (33.2 per cent). The Northern midlands and mountainous areas had an impressive rate of 32.3 per cent. For several years, the Northern mountainous area has achieved the highest proportion of women in the National Assembly and People's Councils in the country.<sup>457</sup>

Regarding the leadership positions, the data available to 30 June 2019 shows that the percentage of women holding the Chair and Deputy Chair positions of People's Councils at all three levels (Provincial, District and

Commune) is extremely low, at 17.6 per cent, 10.2 per cent and 11.8 per cent, respectively.

TABLE 21: NUMBER AND PERCENTAGE OF FULL TIME FEMALE CHAIRS OF PEOPLE'S COUNCIL, AT 30 JUNE 2019

	Total	Number of women	% of women
Provincial	17	3	17.6
District	137	14	10.2
Commune	1649	195	11.8

Source: Party Congress XII data<sup>458</sup>

457 Pham Thu Hien. 2016. "Participation of female candidates in elected bodies: An analysis from the election of the 14th National Assembly and the People's Council for the 2016-2020 term." *Journal of Gender and Family Studies*, 4.

458 Part-time chairs simultaneously hold the other leadership positions such as chair of People's Committees or Party's Secretary, so they are not included. Data is drawn from *Draft review on implementation on the Party building and Charter Congress XII (30 Sept 2019): Chart 15*. Data is current to 30 June 2019.

## 6.2 LEADERSHIP IN PUBLIC ADMINISTRATION AND MANAGEMENT

One of the targets set in the National Strategy on Gender Equality 2011-2020 was that ‘95 per cent of Ministries, Ministerial agencies, Government agencies, People’s Committees at all levels will have key female leaders. It means that these organizations are to have at least one woman at either Head or Deputy Head level. However, by 2021, this target had not been met, with only 45 per cent of ministerial agencies, Government agencies having key female leaders.

*The lack of publicly available data on women’s and men’s representation in the civil service or public administration sector is a hindrance to drawing a full picture of gender patterns in this important area of leadership. It is a significant data gap and systematically collated sex-disaggregated statistics from the central to the local level needs to be prioritised.*

TABLE 22: PERCENTAGE OF MINISTRIES, MINISTERIAL-LEVEL AND GOVERNMENT AGENCIES WITH KEY FEMALE LEADERS, 2021<sup>459</sup>

Agency	%
Overall	45.0
Ministries & Ministerial level Agencies	50.0
Government agencies	28.6

Source: Data provided by MOLISA

Ranked 183<sup>rd</sup> of 191 countries globally, Viet Nam is one of the 9 countries in the world that have no women in ministerial positions, reflecting appointments up to 1 January 2020.<sup>460</sup> A female minister (Ministry of Home Affairs) has been appointed since 8<sup>th</sup> April 2021. It is the only female minister among 18 Ministries. At the time of this report (June

2021), 7 out of 92 Vice Ministers of the 18 ministries are women, accounting for 7.08 per cent.<sup>461</sup> At the local level for the 2016-2020 term, only 32.14 per cent, 32.64 per cent and 21.95 per cent of provinces, districts and communes, respectively, had key female leaders for their People’s Committees.<sup>462</sup> At the department level, as of 31 December 2017, women in government departmental positions account for 13 per cent.<sup>463</sup> Data for the 2021-2026 term is not yet available.

**Gaps and challenges.** Social norms pertaining to women’s roles (preferentially, inside the home) and men’s role (outside in society) have been a significant barrier for women to pursue and attain leadership positions, as

<sup>459</sup> Data provided by MOLISA

<sup>460</sup> Inter-Parliamentary Union (IPU) and UN Women. 2020. *Women in Politics in 2020*. Available at [www.ipu.org/resources/publications/infographics/2020-03/women-in-politics-2020](http://www.ipu.org/resources/publications/infographics/2020-03/women-in-politics-2020).

<sup>461</sup> Data obtained from review websites of 18 ministries

<sup>462</sup> Ministry of Home Affairs. Final Review Report on implementation of the NSGE 2011-2020 and proposal to formulate the NSGE 2021 - 2030 (dated 4 Apr 2020)

<sup>463</sup> Central Organizing Committee. 2018. *Report on 20 years of implementing the strategy on cadres in the period of strengthening industrialization and modernization*.

indicated by many studies.<sup>464</sup> Gender bias and stereotypes are deep-rooted, and reflected at both individual and institutional levels. The role of Party committees and government leaders at all levels has not been evident or effective in promoting gender equality in the political system. There is a lack of mechanisms for systematically monitoring and implementing measures, including administrative ones, to promote change with respect to persistent issues over time. The translation of political will and policy commitment into the specific actions of Party and government institutions, and of individual leaders at all levels, remains imperceptible.

The laws and strategies for strengthening gender equality in leadership and management are not consistent. For instance, while the *Law on Election of Deputies to the National Assembly and People's Councils* (2015) set a quota for female candidates, the *Law on Organisation of the National Assembly* (2014) and the *Law on Organisation of the Local Governments* (2015) do not provide sufficient measures to enhance women's participation in decision-making bodies. Another example is that there is a lack of a holistic, gender-responsive approach to the promotion cycle, from recruitment, training, pipeline planning (for candidates for leadership positions), and rotation to appointment at all levels of the political system. A gender-sensitive voting mechanism needs to ensure that selected women do not have to also fulfil a number of quotas reflecting age, ethnic background and other criteria in addition to gender, so that diversity targets are met.<sup>465</sup> Research in Viet Nam has

464 ISDS, 2020. *Men and masculinity in a globalizing Viet Nam*; UNDP. 2019 PAPI Report. *The Viet Nam Provincial Governance and Public Administration Performance Index*; Tran Thi Minh Thi. 2017. *Ibid*; Oxfam. 2016. *Gender stereotypes against female leaders in Vietnamese media*.

465 The target system on political representation in Viet Nam includes targets for ethnic minority, youth, women and non-party members. It is often the case that a woman is selected meeting more than two of these targets.

indicated that the relative positioning of the names on the ballot is the most important factor in determining who is selected.<sup>466</sup> In practice, it is usually the candidates with higher career positions that will be selected, which means that how the candidate list is drawn up may determine whether the outcome of the election will benefit male or female candidates. While it is men that have the higher position, they will generally win. The paucity of data on women's leadership ratios and sex-disaggregated data generally, especially relating to public administration from the central to the local level, is a problem which impedes policy analysis and strategy design to address women's leadership barriers.

### Recommendations.

- Transforming traditional socio-cultural norms toward equitable and gender inclusive values should be at the centre of the process to promote women's leadership. Innovative solutions and creative communications, such as profiling new role models of women in leadership and men contributing equally within the home, which would likely contribute to a change in deep-rooted stereotypes. The change would be facilitated by development of social services and policy to support women and men in fulfilling care responsibilities.
- An accountability mechanism needs to be in place to ensure that the responsibility of agency heads for promoting gender equality and women's representation in leadership and management is implemented and addressed, where performance is identified as inadequate.

466 UNDP. 2012. *Women's representation in the national assembly of Viet Nam – the way forward*. Hanoi: UNDP.



Photo: UN Women/Vu Ngoc Dung

- It is critical to review the Party and State regulations and policies on training, professional development, political training, rotation, promotion and appointment to eliminate discriminatory practices against women such as the age differences between women and men that have been set for training, rotation and pipeline planning, etc. These should be compliant with the *Gender Equality Law*.
- Building a monitoring and evaluation mechanism for the implementation of the targets on women's representation in the political system is necessary. All the agencies under the central and local political system should be responsible for updating and providing annual sex-disaggregated data and reporting on recruitment, training, pipeline planning, rotation, and appointment.
- Capacity development for women, including networking and a mentorship program, and for young and ethnic minority women, should be part of any leadership program. At the same time, it is essential to incorporate gender content into the training courses for high level officials and for leadership at central and local levels. Training programs for civil servants of the Ministry of Home Affairs (MoHA), which highlights gender responsiveness in the process of making decisions and policies, must be underscored.



## CHAPTER 7. EQUALITY IN SAFETY AND SECURITY

## 7.1 VIOLENCE AGAINST WOMEN



Legal framework. Violence against women is a major form of gender-based violence and in many cases the two terms are used interchangeably. Violence against women as well as gender-based violence (GBV), rooted in gender inequality, continues to be one of the most pervasive human rights violations globally, and in Viet Nam. The *National Study on Violence Against Women in Viet Nam* (2019) states that the term ‘gender-based violence’ highlights the relationship between (1) women’s subordinate status in society, and (2) their increased vulnerability to violence because of unequal power relations and gender roles. GBV encompasses not only violence against women but also violence against men and the LGBTQI community based on unequal power relations that are caused and maintained by gender hierarchies and stereotypes in the society.<sup>467, 468</sup>

Viet Nam does not have an official definition of GBV under law. However, different forms of GBV are treated by various instruments in the legal framework. This includes the legal prohibition of forms of GBV, including: domestic violence, sexual violence including sexual harassment in the workplace and in public places, sexual abuse, human trafficking, and gender-based harmful practices, such as

467 MOLISA, GSO and UNFPA, 2020. *Results of the National Study on Violence against Women in Viet Nam 2019 - Journey for Change*.

468 GBV consists of both direct and indirect violence. Direct violence includes physical, psychological, and economic violence perpetrated against an individual. Indirect violence is defined as institutional or structural, and is carried out through gender norms, attitudes, and stereotypes that exist in a society. GBV has a serious impact on both personal and public health. GBV survivors may suffer from a range of outcomes including unwanted pregnancy, STI infections (HIV/AIDS included), chronic pain, disability, infertility, abortion, and psychological health issues such as depression or even suicide.

child marriage and gender-biased prenatal sex selection.

Domestic violence is prohibited under the *Law on Marriage and Family* (2014), the *Gender Equality Law* (2006), the *Law on Prevention and Control of Domestic Violence* (2007), and the *Law on Children* (2016). The *Law on Prevention and Control of Domestic Violence* considers ‘forced or non-consensual sex’ an act of domestic violence (Clause 1, Article 2) and is prohibited (Clause 1, Article 8). Point H in the *2014 Law on Marriage and Family* prohibits domestic violence.

Sexual violence, including sexual abuse, sexual harassment, and trafficking for the purposes of sexual exploitation, is addressed in various different laws. In particular, the *Penal Code* (2015) proscribes a range of crimes directly related to sexual abuse, including sexual abuse against women and girls such as rape (Article 141), rape of a person aged under 16 (Article 142), attempted rape (Article 143), attempted rape of a person aged 13 to under 16 (Article 144), and harbouring for the purposes of prostitution (Article 327) in the case of forced prostitution. Definitions of rape and attempted rape have also been stipulated in the *2015 Penal Code*. Nevertheless, one serious ‘omission’ in the Code that should be highlighted is that the Code fails to explicitly prohibit and criminalise rape by a husband or de facto partner. This perpetuates the misperception that rape/attempted rape does not/cannot occur between a woman and her husband or de facto partner. If rape is perpetrated between a couple who is not married or in a de facto relationship, this is criminalised under the Penal Code. The norms binding women to the duty of satisfying the sexual desire of their husbands and de facto partner persists, despite an increased awareness about sexual abuse against women.



Sexual abuse and exploitation are prohibited under several legal documents. The *Law on Medical Examination and Treatment (2009)* bans sexual exploitation in educational institutions and during medical examinations and treatment (Clause 10, Article 6). The *Law on Adoption (2010)* prohibits taking advantage of adoption for sexual abuse (Clause 1, Article 13). The *Law on Marriage and Family (2014)* prohibits taking advantage of marriage for sexual abuse (Point I). *Decree No. 80/2017/NĐ-CP* dated 17/07/2017 in Clause 5, Article 2 stipulates that a safe, healthy, and friendly educational institution prevents and stops 'school violence', including acts related to sexual abuse. The *Law on Education (2019)* prohibits the sexual abuse of students, teachers, officials, and employees of educational institutions (Clause 1, Article 22). Regarding the media, the *Law on Advertising (2012)*, the *Law on Publications (2012)*, and the *Law on the Press (2016)* all prohibit the advertisement, distribution, publishing or broadcasting of information and/or goods of an obscene nature. Prostitution (to use the legal nomenclature for sex work) including forced prostitution, is banned under Article 4 of the *Ordinance on Prevention and Control of Prostitution (2003)*.<sup>469</sup> The *2005 Youth Law* also bans persuading and compelling young people to engage in prostitution (Article 8).

The *Law on the Prevention and Control of Human Trafficking (2011)* and the *Penal Code*

469 Sex work is classified as prostitution in Viet Nam and is criminalised. The UN CEDAW Committee has noted its concern with the 'stigmatization of and administrative penalties imposed on women and girls in prostitution', and has urged Viet Nam to 'take effective measures to eliminate the root causes of trafficking and prostitution, including poverty, in order to remove the vulnerability of women and girls to such exploitation; and to review the Law on Administrative Violations Sanction (2012) and the Law on Administrative Penalties (2012) with a view to decriminalizing women in prostitution. UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. *Concluding observations on the combined seventh and eighth periodic reports of Viet Nam*. *op. cit*

(2013) have both defined 'sexual exploitation' as one of the purposes of human trafficking. The *2019 Labour Code* bans sexual harassment in the workplace.

Other forms of gender-based discrimination and violence, including gender-biased harmful practices such as gender-based pre-natal sex selection and early marriage, are addressed in the *Law on Gender Equality (2006)*, *Law on Marriage and Family (2014)*, *Child Law (2016)*, the *Population Ordinance (2003)* and other legal documents

Furthermore, the laws stipulate provisions to not only prohibit sexual abuse against women and girls but also on protecting the victims as well as identifying preventive and response measures against sexual violence. Accordingly, the law protects the legal rights and entitlements of victims of sexual abuse. For example, the *Law on the Prevention and Control of Domestic Violence (2007)* stipulates that victims of domestic violence have the right to request competent authorities, organisations, and persons to protect their health and rights, as well as being entitled to (1) medical examination and treatment, (2) counselling, and (3) emergency support for essential needs (Articles 23, 24, and 25).<sup>470</sup>

470 Another example is the *Law on the Prevention and Control of Human Trafficking* in Article 29.30, and 31, as well as *Decree No. 62/2012/NĐ-CP* dated 13/08/2012 of the Government provide grounds to define trafficked victims and protect the safety of victims and their relatives. Specific support to trafficked victims is also specified, including (1) support for essential needs and travel expense, (2) medical support, (3) psychological support, (4) legal aid, (5) education and vocation training, and (6) initial allowance and loan facility. The *2015 Criminal Procedure Code* (Article 62) sets the victims' fundamental rights including being informed and explained of their rights and obligations, self-defense or having their legal rights and benefits defended, requesting from competent procedural authorities to protect themselves or their relatives in case of being threatened. The *2016 Law on Children* prescribes the three levels of child protection namely prevention, support which is applicable to at risk groups, and intervention that is applicable to abused children. The *2017 Law on Legal Aid* (Article 7) stipulates the entitlement of victims of sexual abuse to legal aid if they belong to one of the more vulnerable groups such as members of poor households, children, ethnic minority people, victim of domestic violence or human trafficking, people with disabilities, and so on.

## The Current Situation of Domestic Violence Against Women and Girls by Intimate Partners

Viet Nam is the first country in the world to have published two VAW prevalence studies conducted in 2010 and 2019. Both studies focused on domestic violence, but the second study, in 2019, was expanded to cover violence beyond the home, as well as extending the age cohort from 18-60 to 15-64 years. This means that Viet Nam has nationally representative VAW data for comparison across a ten year period. Moreover, it also has a separate study on the cost of violence<sup>471</sup> and a cost of violence estimation from the 2019 national VAW survey, capturing both GDP and out-of-pocket costs borne by women experiencing VAW in Viet Nam.

In the domestic sphere, women may experience violence in any form and at any time during their life, from before they are born until into old age. The common types of domestic violence reported in Viet Nam include violence by a husband or intimate partner, early and/or forced marriage, and sex selective abortion, among others.

Data from the two national VAW surveys have revealed a high prevalence of violence among ever-married Vietnamese women in 2010 and then again in 2019. Specifically, the 2010 data showed that 58 per cent of ever-married Vietnamese women had suffered physical, sexual or emotional violence by their husband/partner in their lifetime, and 27 per cent of women had experienced one or more of these three types of violence in the 12 months prior to the survey. Moreover, about half of the violence survivors had never told anyone, and only approximately 10 per cent sought help from local authorities, health or legal services

471 UN Women, 2012. *Estimating the Costs of Domestic Violence Against Women in Viet Nam*. Hanoi: UN Women.

or the Women's Union.<sup>472</sup>

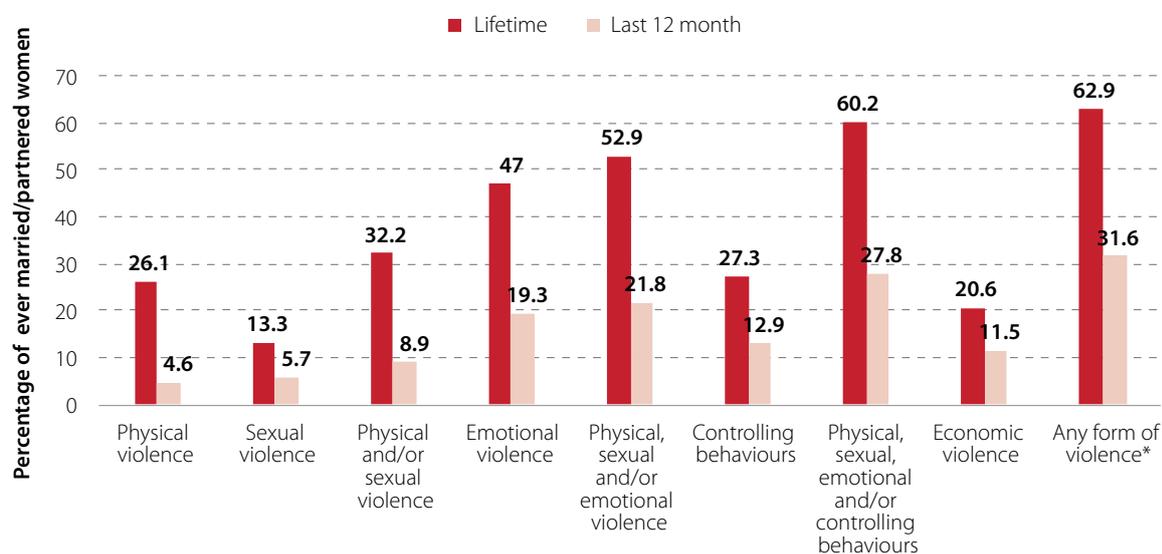
The second national VAW survey in 2019 covered a broader range of violence forms, including physical, sexual, psychological (consisting of emotional violence and controlling behaviours), and economic violence. Overall, nearly two in three women (62.9 per cent) had experienced one or more of the five forms of violence by their husband or partner in their lifetime, and 31.6 per cent of women had experience of violence in the 12 months prior to the survey. The prevalence of each form of violence is illustrated in Figure 48. Emotional violence is the most prevalent form, with nearly half (47.0 per cent) of ever married/partnered women experiencing this in their lifetime, and almost one fifth (19.3 per cent) in the prior 12 months. That is followed by physical and/or sexual violence, with one in three women (32.0 per cent) having experienced either type in their lifetime, and 8.9 per cent in the previous 12 months. The other types of violence including economic violence and controlling behaviours can also have a serious impact on women's lives but are more difficult to consistently define cross-culturally.<sup>473</sup>

Each form of violence is discussed in more detail below.

472 General Statistics Office. 2010. *'Keeping Silent is Dying': Results from the National Study on Domestic Violence Against Women in Viet Nam*. Hanoi: GSO.

473 MOLISA, GSO and UNFPA. 2020. *Results of the National Study on Violence against Women in Viet Nam 2019 - Journey for Change*. op.cit.

FIGURE 48: PREVALENCE OF DIFFERENT TYPES OF VIOLENCE BY HUSBAND/PARTNER DURING A LIFETIME AND THE LAST 12 MONTHS AMONG EVER-MARRIED/PARTNERED WOMEN, 2019 (%)



\* Any violence includes at least one of the following: physical, sexual, emotional, economic violence or controlling behaviour

Source: MOLISA, GSO and UNFPA. 2020. Results of the National Study on Violence against Women in Viet Nam 2019 - Journey for Change.

Violence by a husband/partner tends to begin early and extend throughout a woman’s life. The 2019 study found that 8 per cent of adolescent girls aged 15-19 years had already experienced physical and/or sexual violence from their husband or boyfriend, whereas women of child-bearing age (20-44 years) experienced the highest rates of current physical and/or sexual violence (in the last 12 months). Results also showed a significant association between violence and the health and well-being of both women and their children. Experience of violence during pregnancy can harm both mother and the unborn child. Furthermore, children living in violent households are likely to witness violence and be at risk of injury themselves. It is also a factor in the perpetration of violence or victimisation in later life.

Among all age groups, young women aged 20-34 years (peak child-bearing years)

were more likely than older groups to have experienced both physical and/or sexual violence in the 12 months prior to the survey. The occurrence of physical violence by intimate partners is greater in the Central Highlands (40 per cent), the Red River Delta (32.8 per cent), and among women with lower educational levels.

Comparing the two sets of VAW survey data reveals a slight decrease in the prevalence of all forms of violence by husband/partner, except for that of sexual violence. For instance, the rate of lifetime physical violence by husband/partner among ever-married/partnered women was 31.5 in 2010 as opposed to 26.1 in 2019. This may be attributable to the effectiveness of recent national policies and programmes promoting GBV prevention, however further research is needed to verify the reasons. Nonetheless, the figure is still remarkably high as almost two

thirds of ever-married women still experienced at least one form of domestic violence in their lifetime. The prevalence of sexual violence was higher in the 2019 survey. The rate of change, therefore, should be recognised as marginal, despite the enactment of action plans and campaigns. Furthermore, the percentage of women who experienced violence and did not report to anyone increased between 2010 and 2019, at 87 per cent and 90 per cent, respectively. This therefore calls for a more concerted effort to build community awareness that violence against women is a crime, and to prevent and respond to violence against women and girls in Viet Nam.

Violence by intimate partners among women with disabilities. The prevalence of all forms of violence by intimate partners is higher among women with disabilities than for abled women. For example, the 2019 study found that a third (33 per cent) of women with disabilities experienced physical violence from their husband or partner, compared with a quarter (25.3 per cent) of abled women. Childhood sexual abuse, as recalled by women, was also higher, at 6.4 per cent for women with disabilities as opposed to 4.2 per cent, respectively.

Violence by intimate partners against ethnic minority women. The 2019 VAW study was not able to achieve a representative sample of different ethnic minority groups, even the more populous groups with over one million people. This means that prevalence data needs to be interpreted cautiously. However, the study did offer some findings between groups, and differences from the comparatively lower prevalence disclosed by ethnic minority respondents in the 2010 survey. The 2019 VAW study found that Nung women experienced elevated rates of physical and/or sexual violence, with a lifetime prevalence of 42.8 per cent, and of 25.8 per cent in the last 12

months. Furthermore, 34.9 per cent of Nung women had experienced emotional violence in the last 12 months. H'mong women, on the other hand, reported lower rates of physical/sexual violence and emotional abuse but a high rate of controlling behaviours, at 54.7 per cent over their lifetime, and 25.6 per cent in the last 12 months. Dao women also reported comparatively high rates of sexual violence (15.8 per cent in their lifetime, and 12 per cent in last 12 months), controlling behaviours (51.3 per cent in their lifetime, and 32 per cent in last 12 months), and economic abuse (45.8 per cent in their lifetime, and 28.6 per cent in the last 12 months).<sup>474</sup> Qualitative, culturally sensitive co-research is needed to understand the differences in prevalence within and between these groups over time. Any investigation would need to avoid stigma and preconception on the basis of both gender and ethnicity.

Coping with and responding to violence by a husband/partner. Women who experience partner violence often do so alone, and without support. For every five women who experienced violence, four 'never fought back' (80.8 per cent). Up to half of the women who experienced physical and/or sexual violence by a husband or partner had never told anyone about it (49.6 per cent), and the majority never sought help from formal services or authorities (90.4 per cent). The main reason noted by women for not reaching out for help was because 'violence was normal or not serious'. A total of 48.4 per cent of women – or half - did not seek help. Of the women who did seek assistance, 69.7 per cent did so only when the violence became unbearable.

About one in five women had to leave home due to violence committed by a husband or partner at least once in their life, at 19.3

<sup>474</sup> MOLISA, GSO & UNFPA. 2020. *Results of the National Study on Violence against Women in Viet Nam 2019 - Journey for Change*. op.cit

per cent, and most lived with relatives. The majority of those who returned home did so for their children (50.4 per cent of women).

Consequences of VAWG. Violence causes severe, cumulative harm to women. Nearly a quarter (23.3 per cent) of women who experienced physical and/or sexual violence by a husband or partner were injured, with most being injured more than once. One in five women (21.8 per cent) were injured many times in their life. The overall health status of women (self-reported) who have experienced partner violence is often 'poor' or 'very poor' with higher risks of miscarriage, stillbirths, and abortions compared to those who had not experienced violence from a husband or partner. Moreover, women who had experienced physical and/or sexual violence were three times more likely to suffer from mental distress than those who had not.

Violence against women by their husbands or partners affects their children as well. Nearly two in every three women who experienced physical partner violence reported that their children had also witnessed or heard the violence.

From an economic perspective, women living with violence have less access to resources, credit, markets and extension services, and their access tended to reduce over time. Violence against women often harms their ability to work, resulting in a risk of employment loss, a decrease in income, and increased isolation. Violence may cause more serious consequences to women who do not work outside of the home and who rely on their husband/partner to support them financially. They may also face complex disadvantage due to economic abuse and controlling behaviour. Poor women, women with disabilities, elderly and ethnic minority women are the most vulnerable.

The 2019 survey in Viet Nam included a module with questions on the costs associated with husband/partner violence. This was the first time UNFPA had trialled as a costing module, globally. As a direct result of violence, women experiencing physical and/or sexual violence in the past 12 months spent an average of 9,426,500 VND (equivalent to 400 USD) on out-of-pocket expenses, such as for health care, accessing services, leaving home, and replacing damaged household items, which is equivalent to a quarter of women's average annual income in Viet Nam. What's more, the annual income of women experiencing physical and/or sexual violence is 30.8 per cent less than their peers. Lifetime experience of physical and/or sexual violence among ever-partnered working women aged 15 to 64 years has led to a productivity loss estimated at 100,507 billion VND – 1.81 per cent of Viet Nam's GDP for 2018. This is similar to the cost of domestic violence for Viet Nam estimated in the 2012 report at 1.91 per cent of the 2010 GDP.<sup>475</sup>

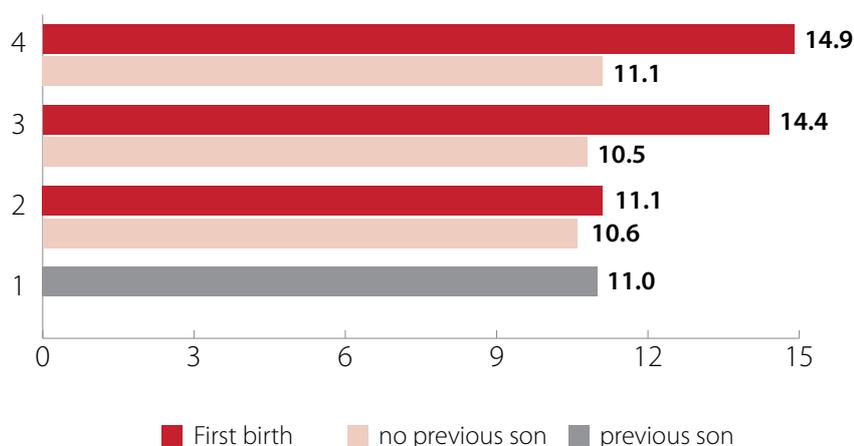
### Gender-bias and harmful practices

Gender-biased sex selection. Gender-biased sex selection (GBSS), also referred to as ante-natal sex selection, leads to an imbalance in the sex ratio at birth (SRB). GBSS is most severe form of gender-based violence. This phenomenon emerged in the 1980s and quickly became widespread in several countries in Asia and Eastern Europe. In Viet Nam, as described in the Demographic section, GBSS has led to an increase in the SRB and due to this, Viet Nam has become one of six countries with SRB levels above 110 male births per 100 female births.<sup>476</sup> Indeed, in

475 Duvvury, N., Minh N. and Carney P. 2012. *Estimating the cost of domestic violence against women in Viet Nam. 1st edition.* Hanoi: UN Women.

476 UNFPA. 2020. *Factsheet: GBSS in Viet Nam: Lesson from 2019 Census.* Hanoi: UNFPA.

FIGURE 49: SRB BY BIRTH ORDER AND PREVIOUS GENDER COMPOSITION IN VIET NAM, 2014-19



2020, Viet Nam was ranked third to last of 153 countries for having a skewed SRB.<sup>477</sup>

GBSS was first practiced among higher income women with a higher educational level who had better access to information and technology but has then gradually dispersed across the society to the underprivileged groups. SRB is typically observed among the second and third births, especially when the sex of the previous birth(s) was female.<sup>478</sup> GBSS is widely practiced due to the growing accessibility and affordability of assisted reproductive technology.<sup>479</sup> Ultrasound for fetal sex determination, for example, is extremely common in Viet Nam even though it is prohibited by law. Up to 96 per cent of women who received prenatal care during their last pregnancy and most mothers (83 per cent) got to know the sex of their children before birth.

The primary factor leading to the prevalence of prenatal sex selection in Viet Nam is said to be the strong and deeply rooted son

preference. A son is the symbolic and practical continuity of the family lineage, a guarantee of ancestor worship, and a boost for the parents' status in society. Because of that, sons are usually favoured over daughters in terms of land and property inheritance.<sup>480</sup> This is further reinforced by both the patrilineal system and the patrilocal tradition of residence for couples after marriage, which remains exceptionally common in Viet Nam.<sup>481</sup> Despite the significant effort in promoting gender equality, son preference persists and is widespread among women, couples, families, and communities, especially in the Red River Delta region where the SRB is the highest in Viet Nam.<sup>482</sup>

As a consequence of GBSS and highly imbalanced SRB, Viet Nam is predicted to be short of 46,000 female births per year, which

477 World Economic Forum (WEF). 2019. *Global Gender Gap Report 2020*. Geneva: WEF.

478 GSO. 2020. op.cit.

479 Bélanger, D. 2015. 'Son preference, Science, and Modernity'. *Asian Population Studies* 11(3): 211-213.

480 Guilmoto, C. 2012. 'Son preference, Sex Selection and Kinship in Viet Nam'. *Population and Development Review* 38(1): 31-54.

481 Khuat, TH. 2009. "Stem Family in Viet Nam", in Fauve-Chamoussier A., Ochiai E. (eds.), *The Stem Family in Eurasian Perspective. Revisiting House Societies, 17<sup>th</sup>-20<sup>th</sup> Centuries*, Bern: Peter Lang: 431-458.

482 UNFPA. 2019. *Viet Nam Country Profile: Global Programme to Prevent Son Preference and the Undervaluing of Girls: Improving the sex ratio at birth in select countries in Asia and the Caucasus*. Hanoi: UNFPA.

<https://vietnam.unfpa.org/en/publications/global-programme-prevent-son-preference-and-undervaluing-girls-improving-sex-ratio>

represents 6.2 per cent of the observed female births.<sup>483</sup> In fact, UNICEF estimates that of the cohort aged 0 – 18 years in Viet Nam, there are already one million missing girls.<sup>484</sup> The absence of a large number of girls in the population will result in what is described as a ‘deficit in prospective brides’ and thus may give rise to various forms of gender-based violence including early and/or forced marriage for girls, trafficking in women and girls, forced prostitution and sexual exploitation, as well as other forms of sexual violence against women and girls.

Studies have confirmed that having a son confers benefits and protections for a woman in Viet Nam, including being able to maintain her status in the family, avoid domestic violence, and secure support for her old age. The imperative to have a son, therefore, exerts great pressure on many women. This has led them to turn to various strategies in order to achieve this reproductive goal, not least the recourse to sex-selective abortion which has increased.<sup>485</sup> Sex-selective abortion carries physical and emotional risk for women, especially since it is unlawful and may be performed by sub-standard clinics or outside of the health sector. There are reports that the expectation of producing a son means that some women receive little post-abortion care and support from their family. Additionally, although likely under-estimated, some women are subject to gender-based violence (physical and psychological) when they fail to give birth to a male child.<sup>486</sup>

Son preference and gender-biased sex selection are the most visceral practices

of gender discrimination and a powerful manifestation of underlying forms of discrimination against women. The Government of Viet Nam has recognised the problem and its implications, and it has taken efforts to address the issue through policies and legislation, aiming to return the sex ratio at birth to the biological level by 2025. To achieve this ambitious target, nationwide intervention programs have been developed and implemented, including communication campaigns to change social norms and practices that discriminate against women and girls. This also includes better law enforcement without limiting women’s ability to exercise their reproductive rights, reliable and timely monitoring of health clinic compliance, and data for tracking the dynamics of a change in the SRB and the impact of interventions. In 2021, returning to a ‘natural’ sex ratio by 2025 does not appear to be attainable.

Early marriage. Early marriage is any marriage where one or both partners have not reached the minimum age stipulated by the *Marriage and Family Law (2014)* (20 years for men, and 18 years for women).<sup>487</sup> Early marriage is banned by the *Marriage and Family Law* and criminalised by the *Penal Code*.

Results of the survey on the socio-economic situation of 53 ethnic minorities in 2019 showed that the early marriage rate in 2018 was 21.9 per cent, down by 4.7 percentage points compared to 2015. However, the early marriage rate remains high in some regions such as the Northern Midlands and Mountainous areas, and the Central Highlands. The rate of early marriage among ethnic minority women is consistently higher than for men across regions, except for the Red River Delta.

483 UNFPA 2020. Ibid.

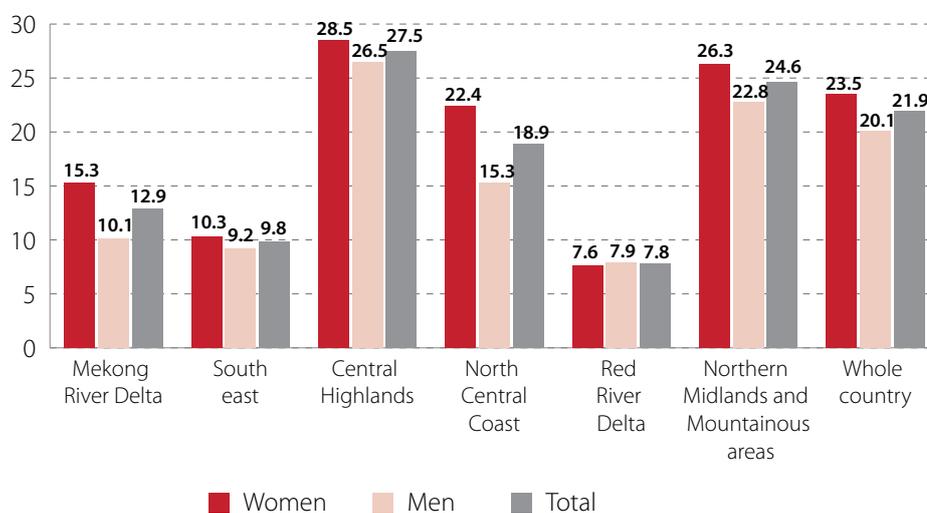
484 13.6 million boys to 12.6 million girls. General Statistics Office and UNICEF. 2015. *Viet Nam Multiple Indicator Cluster Survey 2014*. GSO: Hanoi.

485 Bélanger, D. 2006. ‘Indispensable Sons: negotiating reproductive desires in rural Vietnam.’ *Gender, Place and Culture* 13(3): 251-265.

486 Institute for Social Development Studies (ISDS). 2015. op.cit.

487 *Marriage and Family Law (2015)*: Article 8, Clause 1, Item (a).

FIGURE 50. RATES OF EARLY MARRIAGE AMONG ETHNIC MINORITY GROUPS, BY SEX AND REGION, 2018



Source: GSO. 2019 Population and Housing Census

According to the 2019 Census, 0.4 per cent of women aged 20-24 years in Viet Nam are married for the first time before their 15<sup>th</sup> birthday, and 9.1 per cent before they turn 18 years old. Early marriage is most common in the Northern Midlands, with 1.3 per cent of women aged 20-24 married before the age of 15, and up to 21.5 per cent married before 18 years old. That is followed by the Central Highlands with the proportions of 0.9 per cent and 18.1 per cent, respectively. These two areas are populated mainly by ethnic minority groups that have documented traditions of early marriage, live in challenging socio-economic conditions, and have low educational levels and limited legal knowledge.<sup>488</sup> The five ethnic groups with the highest percentage of women aged 20-24 married before the ages of 15 and 18 are the Mong, Xinh Mun, Lo Lo, Kho Mu, and Hre groups, as illustrated in Figure 51.

488 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Census 2019*: op. cit.

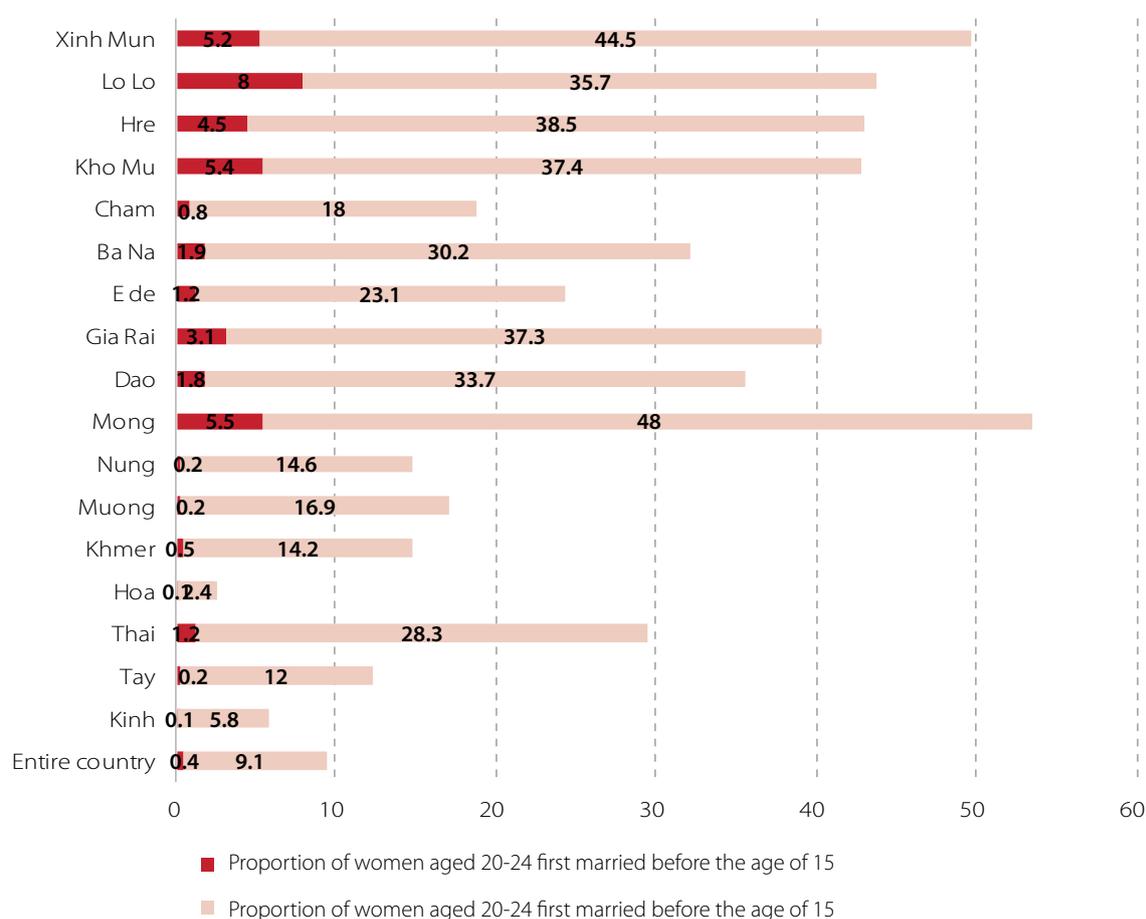
Early marriage has been found to be closely associated with the early school drop-out of girls due to societal discrimination, especially in mountainous areas.<sup>489</sup> Early married couples often struggle to ensure livelihood security for themselves and their children, and early married women are often faced with a greater risk of maternal and child health complications.<sup>490</sup>

489 CRC (2012), *Consideration of reports submitted by States parties under article 44 of the Convention – Concluding observations: Viet Nam – CRC/C/VNM/CO/3-4*.

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/VNM/CO/3-4&Lang=En](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/VNM/CO/3-4&Lang=En)

490 CEM, Irish Aid and UNWOMEN, 2017. *Figures on Ethnic Minority Women and Men in 2015 – Based on the Results of the Survey on the Socio-economic Situation of 53 Ethnic Minority Groups in Viet Nam 2015*.

FIGURE 51: PROPORTION OF WOMEN AGED 20-24 FIRST MARRIED BEFORE THE AGE OF 15 AND BEFORE THE AGE OF 18, BY ETHNIC GROUP (%)



Source: GSO. 2019 Population and Housing Census.

Underage marriage among the Mong people is believed to stem from the taboo against teenage sex in these communities, which makes teenagers turn to early marriage as an alternative.<sup>491</sup> Once married, many young girls are forced by their parents-in-law to drop out of school, give birth, and take care of the children, meanwhile the husband can continue his education. Being left behind in education may push young, married girls

further into economic dependency on their husbands, and expose them to intimate partner violence. Indeed, a relationship between early marriage and intimate partner violence has been identified and raised as a crucial issue to be addressed.<sup>492</sup>

**Forced marriage.** Forced marriage is defined as the act of ‘threatening, spiritually intimidating, maltreating, ill-treating, demanding property or other means of forcing a person to get

491 World Bank. 2019. *Drivers of Socio-Economic Development Among Ethnic Minority Groups in Viet Nam*. Hanoi: World Bank.

492 World Bank. 2018. *Vietnam Multisectoral Nutrition Assessment and Gap Analysis*. Draft report. Hanoi: World Bank.

married.<sup>493</sup> Forced marriages are prohibited by the *Marriage and Family Law*<sup>494</sup> and criminalised by the Penal Code<sup>495</sup>, with sanctions ranging from a simple warning to imprisonment from three months to three years. In Viet Nam, a number of customary practices still exist which condone forced marriage, for instance 'levirate marriages' whereby widows are forced to marry the elder/younger brother or sister-in-law, and the practice of 'catching/pulling wives' to coerce women into marriage.<sup>496</sup> 'Catching/pulling wives' refers to the act of boys or young men kidnapping girls to marry them – a practice reported among the Mong ethnic communities who believe that a girl is married to a boy after spending three days in his house. Forced marriage has contributed to an increase in child marriage and consanguineous marriage, as well as depriving school age girls of their education and future.<sup>497</sup>

Forced marriage also occurs to women with disabilities. A study in 2016 found that 2.3 per cent of women with disabilities were forced to marry or live with men with disabilities,<sup>498</sup> this included women with hearing and speech disabilities, as well as mobility disabilities. Moreover, several members of the LGBTI community, in particular gay and lesbian people, have revealed that they are often pressured into marriage by their families. Some were forced to marry and have children even though they are in an unhappy marriage and often feel guilt towards their spouse.

## Violence against women and girls by non-partners in public

Violence against women and girls (VAWG) by non-partners. VAWG by non-partners can occur both inside or outside of their home, with perpetrators being family members, acquaintances or strangers. The 2019 VAW study in Viet Nam found that more than one in ten women (11.4 per cent) had experienced non-partner physical violence since the age of 15 years. The corresponding figure for the 12 months before the survey was 1.4 per cent. The most common perpetrators are family members (more often male than female) and friends (more often female than male).

Regarding sexual violence, nearly one in ten women (9 per cent) had experienced sexual violence by a non-partner since the age of 15 years, and 1.2 per cent in the previous 12 months. The perpetrators of sexual violence are mainly male friends or acquaintances or male strangers. Young women aged 20–24 years were most at risk of non-partner sexual violence since 15 years of age, at 18 per cent.

493 Law on Marriage and Family 2014, Art. 3 Para. 9.

494 Ibid. Art. 5 Para. 2 b)

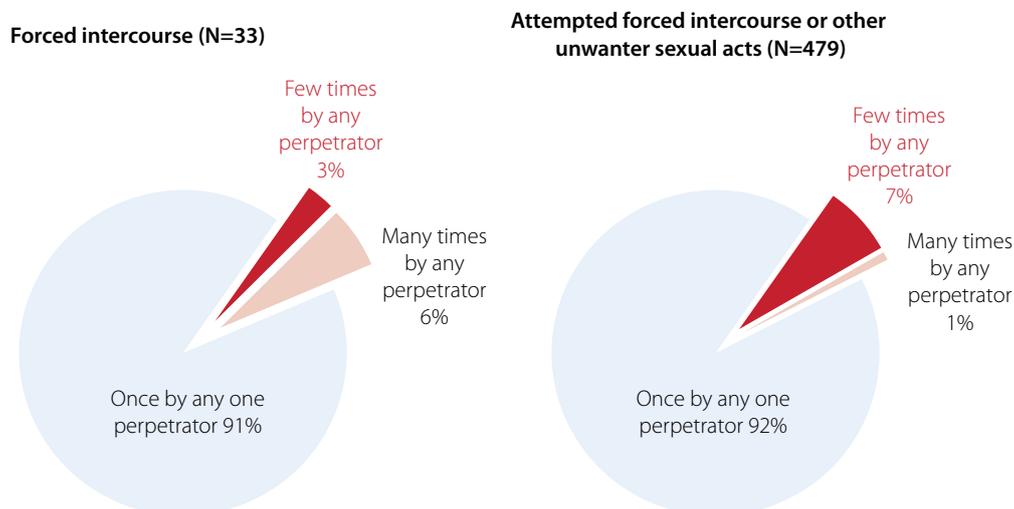
495 Penal Code Article 146.

496 Decree No. 126/2014/ND-CP, (Appendix, Section II)

497 GBVNet. 2019. Independent report for 25 year-implementation of the *Beijing Declaration and Platform for Action in Viet Nam*, focusing on gender-based violence from the perspective of civil society organisations.

498 Viet Nam Federation on Disability. 2016. *Viet Nam initial state report on the implementation of the United Nations convention on the Rights of Persons with Disabilities*.

FIGURE 52: DISTRIBUTION OF FREQUENCY OF SEXUAL VIOLENCE BY A NON-PARTNER, SINCE THE AGE OF 15, AMONG ALL WOMEN WHO EXPERIENCED SUCH VIOLENCE, 2019



Source: MOLISA, GSO and UNFPA. 2020. 2019 VAW report

## Sexual harassment and sexual abuse

*Sexual harassment in public places.* In recent years, sexual harassment against women and young girls has gained significant attention both in Viet Nam and globally. Sexual harassment violates several human rights such as the right to safety, dignity, mobility, and work, among others. Although both men and women can experience sexual harassment, women experience this type of violence more than men. The unequal power relations between men and women is identified as the root cause of sexual harassment, which underpins the inferiority and dependency of women in the society, as well as confining their mobility and controlling their behaviour.<sup>499</sup>

Sexual harassment in the workplace was first officially mentioned in Viet Nam in the 2012 *Labour Code*. However, it was not specifically defined until the revised *Labour Code* in 2019. Nonetheless, sexual harassment in general, beyond the workplace, has not been covered in legislation despite its occurrence in public places. Incidents of sexual harassment against young girls or women in elevators or on public transportation have been reported in recent years in the media,<sup>500</sup> some of which have proceeded to court, indicating an increased societal concern about this issue.

The 2019 VAW study has provided the first nationally representative dataset on sexual harassment in Viet Nam. It found that one in

499 Crouch, MA. 2009. "Sexual Harassment in Public Places." *Social Philosophy Today* 25.

500 *Sexual harassment against female student in elevator was charge with...200,000 dong.* <https://tuoitre.vn/cuong-hon-nu-sinh-trong-thang-may-bi-phat-200-000-dong-20190318190546984.htm>; *Sexual harassment against girls in a park, what is the reason?* <https://tuoitre.vn/be-gai-bi-quay-roi-o-cong-vien-vi-dau-754563.htm>

ten women (11.4 per cent) had experienced one or more kinds of sexual harassment in their lifetime, with the most common type being unwanted personal electronic messages with sexual content (7.6 per cent), followed by being groped or touched sexually in a public place or on public transportation (4.9 per cent). However, the figures appear to be much higher in some smaller-scale studies. A study in 2014 suggested a high prevalence of sexual harassment, with 87 per cent of the 2000 women surveyed in Hanoi and Ho Chi Minh City reporting that they had been sexually harassed in public places.<sup>501 502</sup> Among 1200 women and men participated in a survey conducted in Ho Chi Minh city in 2017, approximately one in five women (18.5%) experienced sexual harassment or sexual violence and 11.7 the male respondents admitted committing sexual harassment or sexual violence against women and girls in public spaces in the past 12 months prior the survey. The number of respondents reported witnessing sexual harassment or sexual violence against women and girls in the public places is much higher: 40.9% of men and 38.6% of women, respectively.<sup>503</sup> Another survey in 2019 found that up to 34.4 per cent of the 125 women studied had experienced unwanted touching once or twice, 32.8 per cent had experienced unwanted sexual comments once or twice, 29.6 per cent had seen someone exposing their genitals in public, and 15.2 per cent were subject to approaches by strangers for sexual intercourse once or twice

Furthermore, the sexual harassment of students in schools has been increasingly

501 ActionAid, 2014. *Safe City for Women and girls: Will dream come true?* Hanoi: ActionAid.

502 Ministry of Justice and UN Women. 2019. *Assessment report on the current situation of laws in Viet Nam on the prevention and control of sexual abuse against women and girls and ways forward.* Hanoi: UN Women.

503 The Baseline survey of the safe cities programme in Ho Chi Minh City 2017-2021 conducted by UN Women and DOLISA HCMC (2017)

studied and documented in the last few years. In one study, in Hanoi alone, 31 per cent of adolescent and young girls reported being sexually harassed in public places and on public transport, and 11 per cent of high school students surveyed had been sexually abused and harassed.<sup>504</sup> In a separate study, 60 per cent of students from secondary school to university level in four provinces of Viet Nam reported having been sexually harassed at least once, half of which suffered from anxiety and fear after the incidents.<sup>505</sup>

*Sexual harassment in the workplace.* Sexual harassment in the workplace is a sensitive topic in Viet Nam and official statistical data is scarce. Nevertheless, the few studies on this issue have demonstrated its prevalence. The first qualitative study on sexual harassment at school and in the workplace in Hanoi and Ho Chi Minh city in 1999<sup>506</sup> showed that sexual harassment is a common daily occurrence in both places. Women working in factories, offices, or services reported being subject to sexual harassment perpetrated by employers and/or colleagues. Many were forced to change jobs frequently to avoid sexual harassment, some even suffered income loss and damage to their family relationships. In the same study, female school students reported being sexually harassed at school by male teachers, friends, and/or strangers on the way to and from school.

Sexual harassment was first prohibited in the workplace by the *2012 Labour Code* in Articles 8, 37, 182, and 183. However, the 2012 Labour Code did not define sexual harassment nor specify the responsibility of employers to prevent and report cases.

504 Plan International, 2016. *Towards a safe, friendly and equal environment at school*

505 ISDS & ActionAid. 2020. op.cit.

506 Khuat, TH. 2004. "Sexual Harassment in Vietnam: A New Term for an Old Phenomenon". In Drummond and Rydstrom (Eds) *Gender practices in contemporary Vietnam*. Singapore: NIAS Press <http://www.niaspress.dk/books/gender-practices-contemporary-vietnam>

However, it did allow domestic workers<sup>507</sup> to report cases to competent authorities. The 2019 Labour Code addressed this gap by providing a clearer definition of sexual harassment in the workplace, better aligned with the international standard, and defined the obligation upon employers to prevent and resolve cases. More detailed provisions on sexual harassment in the workplace will be provided in Decree 145 to guide the implementation of 2019 Labour Code's provisions on female workers and gender equality in the workplace.

Women in all age groups can be victims of sexual harassment in the workplace. A study by MOLISA and ILO noted that certain groups of women are particularly at risk, including those aged 18-30 years and women in junior positions or low status jobs.<sup>508</sup> As for women with disabilities, four in every ten women with disabilities have experienced different forms of sexual violence,<sup>509</sup> and up to two thirds of abused women and girls with disabilities were unable to access support from the authorities.<sup>510</sup> A significant number of cases of violence are not reported and prosecuted, while adequate support in response measures and remedies is urgently needed.<sup>511</sup>

Child sexual abuse. Child sexual abuse is not a new phenomenon, but it is being

increasingly reported in Viet Nam. Data from the Department of Criminal Police in the Ministry of Public Security<sup>512</sup> over the period 2015 to June 2019 recorded a total of 8,442 cases of child abuse with 8,709 child victims, of which 19 per cent of cases involved boys and 81 per cent related to girls. Another source estimates that 6,432 children have been victims of sexual abuse (sex-disaggregated data is not available).<sup>513</sup> However, this crime is likely to be underreported due to the age, situation or intimidation of children which prevents many victims from speaking out. The 2019 VAW study revealed that 4.4 per cent of the women surveyed had experienced child sexual abuse. Women aged 30 to 34 years in 2019 had experienced the highest rates of child sex abuse, at 6.5 per cent. A number of groups of children have been identified to be at higher risk of sexual abuse, including migrant children, those living with disabilities, those living on the streets who earn money by, for example, shining shoes and selling small goods, those working as domestic workers or 'nannies', and those working in the service sector.<sup>514</sup>

Trafficking in women and children. Trafficking involving Vietnamese citizens occurs both domestically and internationally. Domestic trafficking, specifically in women and girls, is mainly from poor rural areas to urban areas. A study looking at cross-border trafficking between Viet Nam and China found four main forms, namely: forced marriage, forced labour, sex work, and children for adoption.<sup>515</sup> A report in 2018 by the Supreme People's

507 Article 179, Section 5 of Labour Code 2012 defines a domestic worker as "a worker who regularly carries out domestic work for one or more than one household. It includes "cooking, housekeeping, babysitting, nursing, caring for elders, driving, gardening, and other work for a household which is not related to commercial activities".

508 MOLISA & ILO, 2012. *Research Report on Sexual Harassment at the Workplace in Viet Nam: an overview of the legal framework.* Hanoi.

509 ACDC, 2018. *Capacity Building for Women and Girls with Disabilities in Ba Vi District, Hanoi and Thanh Khe District, Da Nang.*

510 <https://www.nguoiduatin.vn/nhuc-nhoi-van-de-tro-giup-chon-guoi-khuyet-tat-phu-nu-tre-em-bi-bao-hanh-a444551.html>

511 GSO, 2010. *Results from the National Study on Domestic Violence against Women in Viet Nam*  
Read more: UNODC, HEUNI, INGAD, 2010. *Research on the Quality of Criminal Justice Services available to Victims of Domestic Violence in Vietnam*

512 Letter No. 4209/C02-P5 dated 15/8/2019. Department of Criminal Police, Ministry of Public Security.

513 Van, D. 2020. From 2015 to 2019: 6,432 children were sexually abused. *Nguoi lao dong.* Accessed 22 October 2020. <https://nld.com.vn/thoi-su/tu-nam-2015-den-2019-6432-tre-em-bi-xam-hai-tinh-duc-20200526213355309.htm>

514 CSAGA. 2018. *Gaps and recommendation in helping children who was sexual abused.* Hanoi.

515 ISDS. 2018. *Cross-border marriage between Vietnam and China - Report of a qualitative research conducted in 2017-2018 period.* Hanoi.

Procuracy of Viet Nam suggested that human trafficking occurs in all 63 provinces/cities of the country.<sup>516</sup>

Trafficking of women and girls for the purpose of sexual exploitation, both internal and international, is a growing concern in Viet Nam. The Government of Viet Nam has introduced numerous measures to address the issue, including (i) the adoption of a *Law on Human Trafficking (2011)* which explicitly prohibits sexual exploitation, (ii) the subsequent ratification in 2012 of the *Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons 2000*, (iii) the implementation of a *National Action Plan on Human Trafficking 2011-2015*, (iv) the piloting of a government child-friendly crimes investigation unit, and (v) the integration of trafficking prevention into school curricula.

There are several issues that are repeatedly raised in relation to preventing and responding to sexual exploitation and trafficking in Viet Nam. These include: the reported increase in the number of girl victims, the persistently low conviction rates, the lack of effective victim referral mechanisms to rehabilitation and reintegration services, as well as the stigma and fines applied to female sex workers who, instead of being perceived as victims, are treated as perpetrators. While boys are also victims of trafficking, this data is still limited in Viet Nam.

Information about the incidence and prevalence of trafficking in Viet Nam is difficult to obtain. This in part reflects the inherent challenges in methodically measuring

the clandestine phenomenon of human trafficking, and also of the likely reluctance of victims to come forward due to trauma, stigma or fear of consequences. Data is also highly sensitive for governments, globally. A 2018 report by the Vietnamese National Committee on Crime Prevention and Control found that between 2012 and 2017, law enforcement agencies rescued and/or received about 7,500 victims of trafficking, where over 90 per cent were female and, of those, 80 per cent were from an ethnic minority group. Most victims identified had been trafficked internationally (90 per cent to China), and 80 per cent reported being sexually exploited either in marriages or in the commercial sex industry.<sup>517</sup> However, it is likely that this figure does not fully capture the magnitude of the problem.

For three consecutive years since 2017, the number of investigations, prosecutions, and convictions of trafficking cases have declined. While in 2017 and 2018 there were 350 and 211 trafficking cases identified involving 500 and 276 alleged traffickers respectively, in 2019, only 175 cases with 229 alleged traffickers were tried. A decrease has also occurred in the number of prosecutions - from 245 in 2017, to 194 in 2018, and 166 in 2019. Similarly, convictions have decreased in number from 244 in 2017 to 213 in 2018 and 174 in 2019.<sup>518</sup> This may relate to a combination of factors, including delays relating to complex, transnational cases. However, it translates to greater impunity if trafficking rates remain unchanged or have increased.

Another newly emerging issue that has attracted considerable law enforcement and media attention internationally is the trafficking of adults and children from Viet

516 The Supreme People's Procuracy of Viet Nam, 16/11/2018. Tình hình tội phạm mua bán người trong giai đoạn hiện nay và một số giải pháp phòng ngừa, <https://www.vksndtc.gov.vn/thong-tin/phong-chong-ma-tuy--mua-ban-nguoi/tinh-hinh-toi-pham-mua-ban-nguoi-trong-Sexual-exploitation-and-trafficking-of-girls> is a concern in Viet Nam. The Government of Viet Nam has introduced [giai-doan-h-d14-t7696.html?Page=2#new-related](https://www.vksndtc.gov.vn/thong-tin/phong-chong-ma-tuy--mua-ban-nguoi/tinh-hinh-toi-pham-mua-ban-nguoi-trong-Sexual-exploitation-and-trafficking-of-girls)

517 <https://en.vietnamplus.vn/workshop-reviews-assistance-for-returnee-victims-of-trafficking/138095.vnp>

518 US Department of State. 2020. *Trafficking in Persons Report*. Washington: US Department of State.

Nam across Europe and on to the UK. This has included trafficking for forced labour to grow cannabis, or for exploitation within the service industry. In recent years, Vietnamese nationals have been one of the three top nationalities with the highest number of trafficking victims identified en route to or in the UK. In fact, in the period from 2009 to 2018, 3,187 Vietnamese adults and children were identified as possible victims of human trafficking. Combatting human trafficking and modern slavery involving Vietnamese nationals has officially been prioritised by the UK Government.<sup>519</sup> Sex-disaggregated data is not available and so the trafficking risks and prevalence for Vietnamese men and women are not known.

Trafficking networks and channels in Viet Nam are intricate and complicated. Within the last decade, there have been numerous reported cases of selling newborn babies<sup>520,521,522</sup> as well as the discovery of channels for bringing Vietnamese women across borders for the purposes of surrogacy. Newborn babies are reported to have been sold for 50 million VND<sup>523</sup>. In China, Vietnamese surrogate mothers are reported to receive 70 million VND for a daughter and 60 million VND for a son.<sup>524</sup> According to the Criminal Police Department

of the Ministry of Public Security, from 2018 to the first quarter of 2019, provincial police found 20 cases of child selling, of which some were newborns, in Nghe An, Quang Ninh, Tra Vinh, and Hanoi.<sup>525</sup> Since 2011, more than 400 cases of children being sold (868 children) were resolved and nearly 800 traffickers were convicted<sup>526</sup>. Traffickers often use social media to entice people who have an unwanted pregnancy or are unable to take care of their children to let them adopt the children, then sell them to another country for profit.

The rise of international and domestic migration flows have been increasingly exploited by trafficking networks. However, information and data collection on this issue is limited. The scarcity of data on labour exploitation, nonetheless results in an extremely partial picture on trafficking victims which may also include men and boys.

### Causal Factors and Barriers to Progress.

Traditional gender-based norms. Globally, gender-biased norms and attitudes are a key driver of GBV, as well as one of the main barriers hindering its elimination. Viet Nam is no exception. The 2019 VAW study has pointed out that one third of Vietnamese women have attitudes supporting the norm that men should be the decision makers and household heads, rather than women, with rates especially high among rural women. More than half of the women interviewed (51.8 per cent) agreed with at least one reason or situation whereby violence by a husband/partner was acceptable. The most common justifications selected by women were if the wife was 'unfaithful' (45.2 per cent selected),

519 ECPAT UK, Anti-Slavery International, and Pacific Links Foundation. 2019. *Precarious Journeys: Mapping Vulnerabilities of Victims of Trafficking from Vietnam to Europe*.

520 <https://vov.vn/phap-luat/giai-cuu-tre-so-sinh-13-ngay-tuoi-bi-mua-ban-qua-bien-gioi-991485.vov>

521 Tien Phong, 26/08/2019. Cặp vợ chồng 'hờ' bán trẻ sơ sinh qua biên giới, <https://www.tienphong.vn/phap-luat/cap-vo-chong-ho-ban-tre-so-sinh-qua-bien-gioi-1456619.tpo>

522 VTV, 20/7/2019. Phát hiện, bắt giữ vụ buôn bán trẻ sơ sinh qua biên giới, <https://vtv.vn/trong-nuoc/phan-hien-bat-giu-vu-buon-ban-tre-so-sinh-qua-bien-gioi-2019072016294351.htm>

523 Lang Son, 23/9/2019. Đấu tranh với tội phạm mua bán trẻ em trên tuyến biên giới

<http://baolangson.vn/phap-luat/an-ninh-trat-tu/241963-dau-tranh-voi-toi-pham-mua-ban-tre-em-tren-tuyen-bien-gioi.htm>

524 Nhan dan, 18/9/2019. Mua bán người, những hệ lụy khôn lường. <https://nhandan.com.vn/dieu-tra-qua-thu-ban-doc/mua-ban-nguoi-nhung-he-luy-khon-luong-371257/>

525 ANTV, 20/6/2019. Thủ đoạn buôn bán trẻ em núp bóng cho, nhận con nuôi

<http://www.antv.gov.vn/tin-tuc/phap-luat/thu-doan-buon-ban-tre-em-nup-bong-cho-nhan-con-nuoi-282483.html>

526 <http://boconganh.gov.vn/tintuc/Pages/lists.aspx?Cat=17&ItemID=24225>

or if she did not 'take care of the children' (27.0 per cent). The rate of agreement was also higher among rural women and those with lower educational levels. Those who had experienced violence were also more likely to accept or justify violence by a husband/partner, than those who had not experienced violence.

Moreover, women victims of violence tend to wait many years before seeking external help. The reasons given for this include: the belief that it is the woman's duty to endure violence to maintain family happiness, their fear for the status of the family, fear that the violence will increase, their low self-esteem, self-blame and shame, and the fear that no one will believe them. Those victims who revealed the abuse to someone, mostly did so to their family and/or friends who may themselves lack the knowledge and skills to support the victim. They may even excuse the perpetrators and normalise the violence, which could mean the victim further accepts the violence.

Societal stigma and victim blaming. Victims of domestic violence are reluctant to speak out due to social stigma and the fear of being harassed by family members. Hagar International has stated that, 'violence is often seen as the fault of the women, with a strong reluctance from families and the community to intervene'. The 2019 VAW study found that half (49.6 per cent) of the women who had experienced physical and/or sexual violence by a husband/partner had never told anyone about it, and most women (90.4 per cent) did not seek help from formal services or authorities. Women only sought help when the violence became severe, and they mostly turned to family members, friends, or local leaders who often perceive domestic violence to be a 'family issue'. Furthermore, the use of civil procedures instead of criminal procedures for domestic violence cases as well as the

'Happy Family' ideology<sup>527</sup> which is promoted throughout the country by the MOCST and the Viet Nam Women's Union strongly emphasise resolution and reconciliation within the family, which is often contrary to the idea of addressing the issue of domestic violence.<sup>528</sup>

Gaps in legislation, law enforcement, and services. The basic legal framework in Viet Nam regarding policies on the prevention of GBV, especially VAWG, is relatively comprehensive. Nonetheless, there are gaps, especially with respect to marginalised women such as women with disabilities and ethnic minority women.

To begin with, there needs to be a revision of the overlap and potential conflict in the response and the action plans between government agencies. The issue of domestic violence is currently under the management of the Department of Family within the Ministry of Culture, Sports and Tourism while gender-based violence is assigned to the Gender Equality Department within the Ministry of Labour-Invalids and Social Affairs.

Next, there is the lack of a concrete definition of GBV and related sexual violence/harassment. Although the *2006 Gender Equality Law* refers to GBV as a prohibited act (Clause 3, Article 10), the Law and other legal documents with relevant content do not include a detailed definition or description of different types of GBV behaviour, leading to difficulties for the competent agencies and individuals to identify and apply the provisions for violence prevention and control.

Victim identification and assistance procedures remain cumbersome, slow, and ineffective. The regulations for obtaining evidence and the use

527 Decree 122/2018/ND-CP on Cultured Family, Hamlet, Village or Residential Group

528 UN. 2014. From Domestic Violence to Gender-based Violence: Connecting the dots in Viet Nam. *A UN Discussion Paper*.

of evidence is complicated and consuming which can make it difficult for victims of sexual harassment and violence. Requiring victims of sexual violence to answer difficult and detailed questions about their case, multiple times, as well as to provide evidence to prove the acts of sexual harassment are difficult and painful procedures.

Current penalties and compensation for GBV and sexual violence are minor and do not act as a significant deterrent. Currently, Viet Nam has no specific laws that prescribe compensation or damages for sexual harassment. While there are laws on compensation for damages in Civil Law for mental damage to honour, dignity and prestige, these laws do not correspond with the damage incurred from sexual harassment. Indeed, to date, sexual harassment is addressed in the Decree 167/2013/ND-CP as an administrative violation, with a very low fine. According to the Decree, “a person who makes harsh gestures, teases, insults the honor and dignity of another person may be subject to a warning or a fine of VND100,000 to VND300,000”. The responsible local agency is the provincial police. The victim must provide evidence to the police. It requires a public expression, public proof, a governmental administrative process, action by legal authorities, and the penalty is small. For example, in the case of a female official in Trieu Phong, Quang Tri who was sexually assaulted by a male colleague, affecting her physical and mental health and an affront to her dignity, the perpetrator was only fined 200,000 VND and did not have to pay any compensation to the victim. This kind of penalty is of concern to Vietnamese society because it is not a serious deterrent for acts of harassment or assault. If harassment is treated seriously and actually constitutes a crime as set out in the Penal Code 2015 (“Penal Code”), the aggrieved person has the right to denounce the crime

to the police, the Procuracy Department or the Court, either in writing or verbally. In such cases, the matter is resolved by the Court in accordance with the Criminal Procedure Code.

There is a lack of coordination across agencies at the provincial level, as well as financial constraints, a poor understanding of the relevant laws and victim protection roles and responsibilities. There is also limited specialist knowledge and skills among provincial officials which seriously affects law enforcement, especially in complicated and sensitive cases such as human trafficking, and child sexual abuse. Official statistical data on different forms of GBV especially with gender and/or demographic disaggregation is incomplete and prevents an understanding of its prevalence and the response needed.

There is a significant gap in providing specialised and effective services to victims of different forms of GBV. Viet Nam currently does not have specialised forensic examiners for sexual violence. The few services provided for GBV survivors run by either the government, mass organizations and/or NGOs such as the Peace Houses and Sunshine House, Hotline 1800 1769, services by Hagar International and CSAGA<sup>529</sup> all have limited capacity and are inadequate to support the needs of all GBV victims in the country. Currently the only guidelines for handling sexual violence cases available is the one within health sector.<sup>530</sup> Furthermore, there is a serious shortage of specific provisions on GBV prevention and response for women with disabilities, migrant women, and LGBTQI individuals, because it is difficult to apply current legal provisions to these groups.

529 Centre for Studies and Applied Sciences in Gender, Family, Women, and Adolescents.

530 MOH. 2020. Decision 3133 -QD/BYT on issuing Guideline on providing medical care and support for victims of sexual violence

## Recommendations

- Regarding national policy, review and fill the gaps in GBV-related laws and policy to better align with international commitments and include a specific definition of all of the different forms of GBV, including online violence, to ensure the necessary coverage and accessibility to support services for the most vulnerable groups.
- Regarding GBV prevention, raise awareness about GBV among the public and service providers.
- Strengthen the capacity of the police and judicial system to implement policies and legislation related to GBV through sensitization training, standard operating procedures and accountability mechanisms. GBV needs to be recognised as intrinsically linked to gender inequality, and combating GBV must be acknowledged as the responsibility of society as a whole. The Government needs to ensure an adequate state budget for evidence-based interventions for preventing GBV, to enhance educational programmes on sexuality and life skills for young boys and girls, and to diversify campaigns and interventions for promoting gender equality to actively engage men and boys in challenging gender norms that validate and underwrite violence.
- Regarding the response to GBV, there is a need to increase the coordination and guarantee the accountability of agencies responding to GBV, including a rationalisation of the institutional task overlap between GED-MOLISA and the Family Department–MOCST.
- It is crucial to increase and intensify the penalties and sanctions for acts of GBV, as well as to increase and improve services to provide a holistic support to GBV survivors and to expand the capacity of service providers and local inter-agency coordination in responding to GBV cases. The role of civil society organisations such as service providers for GBV prevention should be formally recognised, with a consolidation of the cooperation between civil society organisations and the government system.
- Supporting research on GBV in general is needed, including culturally-sensitive research on GBV within marginalised populations, ideally co-designed with targeted groups from the community. Regarding data on GBV cases, strengthen cross-sector data recording and sharing between health systems, service providers and legal systems from the local to the central level to ensure comprehensive and effective support to survivors.

## 7.2 WOMEN, PEACE AND SECURITY



### Overview.

Regarded as a model for securing stability and prosperity after a century of conflicts, Viet Nam has a first-hand understanding of the rationale for peace. This is also observable in Viet Nam's support for the women, peace and security (WPS) agenda.

In 2009, the UN Security Council, under the Presidency of Viet Nam, initiated a formal Open Debate on WPS. As a result of this high-level discussion, the Security Council passed Resolution 1889 on women's participation in peace processes and peace building in the aftermath of conflict. Unanimously adopted, Resolution 1889 was the first Security Council resolution adopted after Resolution 1325 in 2000 – the formative first resolution about WPS. It was the first to establish standards on the inclusion and response to the needs of women and girls in the post-conflict period. It emphasized the participation of women in all phases and at all levels of the peacemaking, peacekeeping, and peacebuilding processes. Most importantly, it also called for the introduction of WPS accountability measures through the establishment of a set of global WPS indicators to track the implementation of Resolution 1325. Resolution 1889 strongly encouraged cooperation with civil society, particularly women's organizations. Significantly, it was the first time that Viet Nam had drafted a UN resolution, chairing the debates and facilitating the Security Council's adoption.

Subsequently, in June 2014, Viet Nam sent its first deployment as part of a UN peacekeeping operation. By May 2019, Viet

Nam had sent 30 military officers and 63 Level-2 field hospital staff to participate in UN peacekeeping missions (in the Central African Republic and South Sudan). In 2018, Viet Nam was selected by the UN as a venue for training international peacekeeping forces at Viet Nam's 2nd level field hospital on duty at the UN Mission in South Sudan (UNMISS). UNMISS has a female participation rate of 16.4 per cent, higher than the UN call for 10-15 per cent).

The WPS agenda, however, relates to much more than peacekeeping operations. It covers four pillars, namely: Prevention, Protection, Participation and Relief and Recovery. For post-conflict countries such as Viet Nam, in the context of achieving sustainable peace and bridging the nexus with sustainable development, the participation and leadership of women in public life is for instance, particularly important, as well as that of women's social organizations. Moreover, the WPS agenda is also relevant to situations of natural disaster risk reduction and climate change adaptability, which makes it particularly relevant in Viet Nam. The percentage of female officers in the People's Army has increased from 1.8 percent (2010) to 2.97 percent (2020) and up to 35 percent of those women hold managerial and commanding positions. All divisions of the Ministry of Defense have women representatives in their advisory councils, as well as teams overseeing the legal rights and interests of women.

### Legal and policy framework on WPS.

Below are some of the core legal documents relevant to the four WPS pillars.



## Prevention and protection:

*On gender equality and ending violence against women:* Viet Nam, through the ratification of CEDAW, UN SC Resolution 1325 and other related Resolutions, has a developed legal framework to ensure formal gender equality through key legal instruments, including the Law on Gender Equality, the Constitution, the Law on Marriage and Family which, together, enhance gender equality and prohibit discrimination against women.

## Participation:

*On participation in Peace Keeping Operations (PKOs):* According to Decision No 130/2020/QH14<sup>531</sup> (effective from 1 July 2021), the following professions were identified for participation in PKOs: military advisory, logistics, military engineering, military communication, engineers, medical, police, military procurator, military observer, election observer and monitor, and other fields defined by the National Defense and Security Council. The Decision itself does not have any provision that would support nor encourage the participation of women workforce to the PKOs. In this light, Viet Nam's achievement of over 15 per cent participation is significant, given women's low representation in the above professional categories. Women have mostly served in medical and communication roles.

*National military participation:* Over the past 10 years, the Ministry of Defense has issued 3 Directives, 2 Circulars, 2 Action Plans, and 1 Action Program for the Ministry and the General Department of Politics to direct the army to implement goals and tasks for the Advancement of Women and Gender Equality in the Army. The Viet Nam People's

<sup>531</sup> [Plan issued to implement NA resolution on joining UN peacekeeping operations | Politics | Vietnam+ \(VietnamPlus\)](#) (accessed on August 4, 2021)

Public Security has streamlined its objectives which present opportunities for women's participation, including: (1) improve dialogue with and recommendations to the Party and the State on security and public order; (2) improve state management of security and public order; (3) prevent conspiracy and sabotage activities of hostile forces; and (4) prevent and combat criminals and violations of law.

## Protection, relief and recovery:

The National Plan of Action on Domestic Violence Prevention and Control (2014 – 2020) and the National Thematic Project on Gender-based Violence Prevention and Response from (2016 – 2020) are designed to improve the quality and effectiveness of policies and actions that address domestic violence prevention and response.

Lastly, Resolution 1325 called for member states to develop National Action Plans (NAP) on WPS for countries to set out approaches and objectives to achieve sustainable peace and development through a gender lens, and to ensure the protection of women and girls should an emergency occur. Such protection is often geared towards the elimination of violence against women, prevention of human trafficking, addressing interrupted employment or education, and sexual exploitation and abuse. As of July 2021, 93 countries or territories have developed their own WPS national action plans (NAPs).<sup>532</sup> However, Viet Nam has not yet developed a NAP to ensure full implementation of WPS and its international commitment.

<sup>532</sup> See <https://1325naps.peacewomen.org>. Accessed 12 August 2021.



Photo: UN Women/Giang Son Dong

### Recommendations.

- Support the development and implementation of Viet Nam's first National Action Plan on WPS.
- Strengthen the People's Public Security workforce to meet international standards and to enrol, train and recruit more women to join the PKOs in the range of prioritised professions, while at the same time, ensuring that it would be a good career for women to pursue.
- Promote the increased meaningful participation of women in leadership positions across all professions.
- Strengthen international cooperation in crime prevention, protection of public security, and social safety.
- Conduct workshops and seminars to share practical experiences and best practices to strengthen WPS in Viet Nam.
- Promote innovation through research, forecasting, and opportunity and risk analysis that will improve approaches to traditional, non-traditional, and internet-based security.
- Humanitarian responses should focus clearly on addressing women and girl children's basic rights and needs so that they are protected and can live with dignity in a safe and secure environment.



## CHAPTER 8. EQUALITY IN SOCIAL LIFE AND PROTECTION

## 8.1 MARRIAGE AND FAMILY LIFE



**Marriage and Family Life.** Family is paramount in the life of each and every Vietnamese person. Getting married and building a family is considered a definitive milestone marking the personal growth of an adult. For a man, having his own family and ensuring the perpetuation of his lineage becomes proof of his manhood; while for a woman, building and nurturing a family validates her womanhood. For both men and women, forming a family and raising children is regarded as fulfilling their duty towards their ancestors. It is also a duty for the sake of the country since the family is regarded as the 'vital nucleus of the society' and its harmony is regarded as the foundation of Viet Nam's stability.<sup>533</sup>

**Legal framework.** The Government of Viet Nam has consistently acknowledged family as one of the key determinants of the nation's success. As a result, Viet Nam's legislature has enacted several laws that ensure the development of Vietnamese families. Since independence in 1945, the *Law on Marriage and Family* has been introduced and revised several times. The first *Law on Marriage and Family* in 1959 focused on the elimination of arranged marriage, the endorsement of voluntary marriage based on love, and the promotion of a concept of an equal relationship between husband and wife. Later, in 1987, the law was updated to confer legitimacy for children born outside of marriage, and to realise the rights of unmarried women due to war.

The subsequent revision of the law in 2000

<sup>533</sup> The metaphor "family is a cell of society" is repeated in key social policies of the Communist Party and the Government of Viet Nam.

acknowledged, for the first time, a marriage between Vietnamese and foreigners, and emphasised the couples' responsibility for family planning. Article 2 stressed that the State, society, and family have to assist women to "properly fulfilling their lofty motherhood functions and implement family planning." Article 27 highlighted the requirement to register property jointly in the name of the husband and wife, as well as recognising separate property ownership between husband and wife. Notably, the last revision of the *Law on Marriage and Family* in 2014 recognised the equal rights and obligations of spouses, such as in sharing housework, and it acknowledged for the first time that unpaid housework was as valuable as income generating work. Furthermore, the *Viet Nam Family Development Strategy through 2020, with a 2030 vision* issued in 2012 emphasised family development to be the most crucial objective of the socio-economic development strategy in 2011-2020.

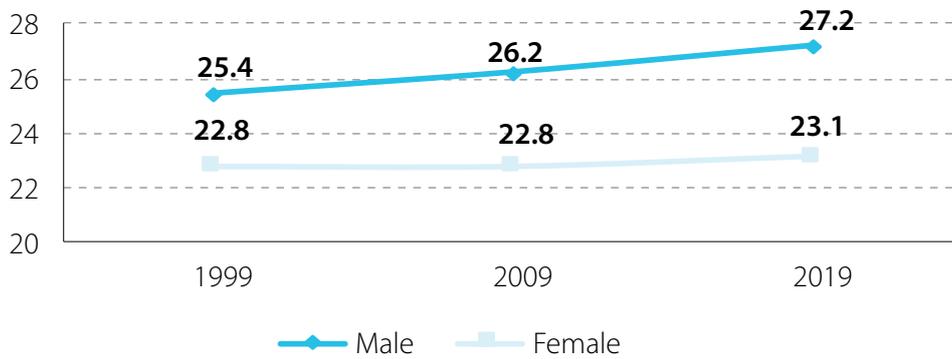
**Marriage is virtually universal in Viet Nam.**

The legal age of marriage for men is 20 years old and for women is 18 years old. Census data (2019) shows that the mean age of first marriage is 25.2 years. For men it stands at 27.2 years, while for women it is at a much younger age of 23.1 years.<sup>534</sup> The mean age of first marriage in urban settings is recorded to be two years later than that in rural areas, at 26.4 and 24.5, respectively.

<sup>534</sup> Central Population and Housing Census Steering Committee. 2020. *Results: The Viet Nam Population and Housing Census of 00:00 Hours on 1 April 2019*. Hanoi, Viet Nam: Statistical Publishing House.



FIGURE 53: MEAN AGE OF FIRST MARRIAGE, BY SEX, 1999-2019



Source: GSO. 2019. Viet Nam Population and Housing Census.

Even though the age of first marriage for both men and women rose in the last ten years, it increased at a faster pace for men, as compared with women. In other words, men tend to get married later and are single for longer than women, which enables men to have more time and opportunity for educational and/or professional development than women.<sup>535</sup> The age of first marriage for women in the Northern Midlands and Mountainous Areas is the earliest nationally, at only 20.8 years, especially in Lai Chau and Son La, at 19.2 and 19.3 years respectively.<sup>536</sup> In fact, 11 per cent of girls in Viet Nam are married before reaching the age of 18, and 1 per cent are married before 15 years of age. The issue of child marriage is most prevalent in the Northern Midlands and Mountainous Areas where 19 per cent of women aged 20-49 were married before 18 years of age, followed by the Central Highlands (at 16 per cent).<sup>537</sup>

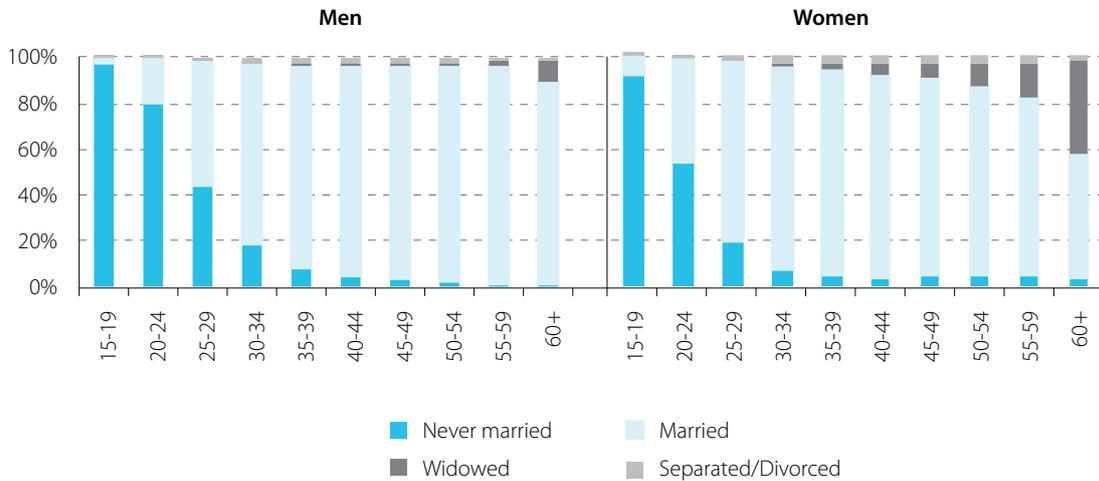
Marriage is common in Viet Nam. According to the Census (2019), the proportion of the ever-married population aged 15 and over was 77.5 per cent. The currently married population accounted for 69.2 per cent, equivalent to more than 50 million people of the total 72.8 million people aged 15 years and above in the country. It can be seen in Figure 53 that the proportion of never married men in the age group under 30 years is higher than that of women, however from 40 years and older, the rate of never married women is higher than that of men.

535 Nguyen, M. 2019. *Primary characteristics of marriage in Viet Nam nowadays and influencing factors*. Hanoi: Viet Nam Academy of Social Sciences, Institute for Family and Gender Studies.

536 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Census 2019*. op. cit

537 General Statistics Office (GSO). 2014. *Viet Nam Multiple Indicator Cluster Survey 2014 – Monitoring the situation of children and women*. Hanoi: GSO.

FIGURE 54: MARITAL STATUS BY GENDER AND AGE, 2019 (%)



Source: Population and Housing Census, 2019

Under the patriarchal and patrilocal traditions in Viet Nam, once married, women are considered to belong to their husband's family. Even though an increasing number of young families are now living separately, the proportion of those living with the husband's family is still noticeably higher than of those living with the wife's family, accounting for 64.7 per cent as opposed to just over 7 per cent of married couples, respectively. This means that the husband's family, by default, tends to receive more care and assistance than the wife's family. As once married, the wife is said to belong to the husband's family and is expected to prioritize her parents in law over her birth family.<sup>538</sup>

**Divorce rate is low yet gradually increasing and is largely initiated by women.** The *Law on Marriage and Family* in Viet Nam permits divorce if the marriage commitment is "unachievable".<sup>539</sup> The legislation protects

the rights of women and children, and allows women to initiate divorce in the case of an unachievable marriage commitment. Although the husband also has the right to initiate divorce, he is not allowed to do so when his wife is pregnant or nursing children under 12 months of age. The state and society is expected to encourage couples to seek conciliation when they request a divorce.<sup>540</sup> If conciliation does not work, the court will accept the divorce. The court will also grant a divorce when it has grounds to believe a spouse commits domestic violence. However, there are strong norms discouraging disclosure as evidenced in the national survey on violence against women.<sup>541</sup> Where agreement is not reached on property division or child custody and access, or are agreed upon but do not comply with the women's and children's rights, the court will make the final decision. Nonetheless, in reality,

538 Institute for Social Development Studies (ISDS). 2015. op. cit

539 Direct translation of the law.

540 Stated in Articles 52 and 54, Section 1 in the *Law on Marriage and Family 2014*.

541 See the chapter on Equality in Safety, Security and Justice.

as women do not inherit assets and so due to patrilocal customs, many women do not have the courage to request a divorce, even when in an unhappy or untenable marriage. Other women who decide to get divorced are faced with difficulties in requesting that their husband share the property since women often struggle to prove their contribution to the family's income during the marriage.<sup>542</sup> Some women are also unable to prove financial capacity, which is a determining factor in custody orders. These are some of the ramifications of gender norms which dictate that women choose jobs with lower pay, to enable more time for family.

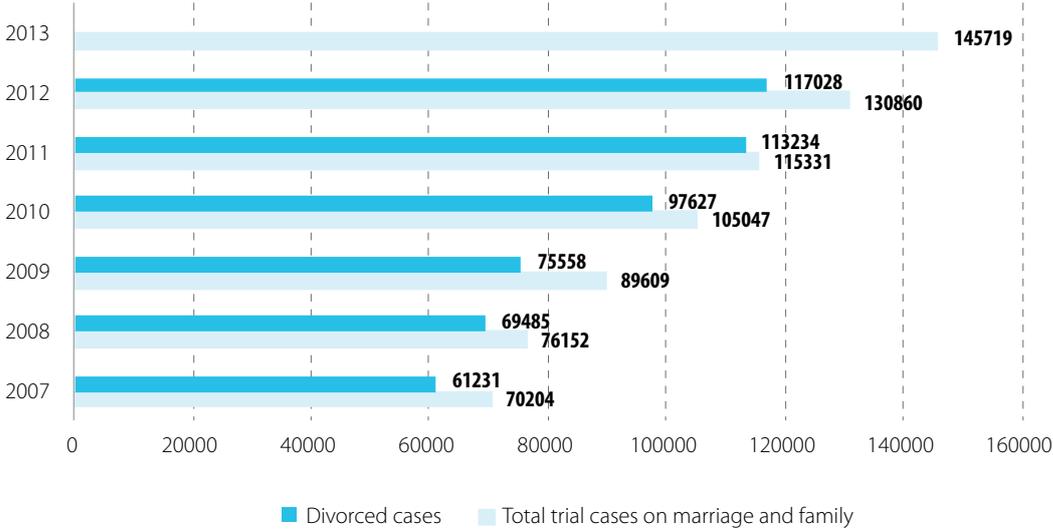
Statistical data on divorce is fragmented and studies on divorce identify the significant challenges in calculating the prevalence of divorce in Viet Nam today. The two national sources of data on divorce are the *Statistical*

*Yearbook* from the General Statistics Office, and the records on the number of cases related to marriage and family, divorce included, from the Supreme People's Court. The former often provides a much lower number of divorce cases than the latter. As per the statistics from the General Statistics Office, Viet Nam had 19,960 divorce cases in 2014 and 24,308 cases in 2016, equating to only 21 per cent of the corresponding data from the Supreme People's Court for 2012. The annual statistical data from the Supreme People's Court reflects more closely the reality of divorce in Viet Nam as opposed to the General Statistics Office data. Regardless, both sources have demonstrated a rapid rise in the number of divorce case since 2000, and this upward trend is predicted to continue in the years that follow.<sup>543</sup>

542 International Center for Research on Women (ICRW) and ISDS. 2015. *Women, Land and Law in Vietnam. Vietnam Land Access for Women (LAW) Program*. Hanoi: ICRW & ISDS.

543 Vu, ML. 2018. 'Divorce in Vietnam: Preliminary Results of a Survey in Hanoi, Khanh Hoa and Tien Giang'. *Sociology* 6(1): 47-60.

FIGURE 55: NUMBER OF TRIAL CASES ON MARRIAGE AND FAMILY AND DIVORCE, 2007-2013



Source: Records from the Supreme People Court<sup>544</sup>

544 Cited in Tran Thi Minh Thi, 2014 and Phan Thi Luyen, 2014.

According to an article published by the Family Department of the Ministry of Culture, Sports and Tourism, in the ten year period from 1 July 2008 until 31 July 2018, the local People's Courts have resolved a total of 1,422,067 divorce cases, nationwide.<sup>545</sup> As such, on average, there are more than 100,000 divorce cases resolved every year.

The limitations with national statistics does not allow for pattern analysis with respect to divorce, however almost all provincial reports on divorce reveal that the majority of divorce is initiated by women. The same study by Vu Manh Loi points out that the rate of divorce cases requested solely by women is more than 70 per cent of the total.<sup>546</sup> Other studies suggest a similar trend, including a recent study on the intersect between violence against women and children in Viet Nam.<sup>547</sup>

According to available reports, one of the primary causes of divorce is domestic violence. A report by the Family Department released in 2018 showed that in the ten years from 2008 to 2018, the local People Courts had resolved 1,384,660 divorce cases, of which 1,060,767 (or 76 per cent of cases) were linked to domestic violence and included reference to beating, abuse, drug addiction, alcohol use, gambling,

and extra-marital affairs.<sup>548</sup> An interesting finding from Vu Manh Loi's study is that couples where the wife is the breadwinner of the family are more likely to get divorced than those where the husband is the main provider or both earn equally. Specifically, 4.1 per cent of the studied divorcees (men and women) said that the reason for their divorce was because the wife was the main financial contributor to the household.<sup>549</sup> This finding reaffirms the traditional gender norms about men's leading role in the family. Husbands may find it shameful to earn less than their wives, and wives may also feel disappointed with their husbands for not fulfilling this role.

The divorce rate, despite being low in percentage terms, is of considerable concern for the government and social organisations. On 1 October 2009, the Ministry of Culture, Sports and Tourism approved the project, 'Sensitising and promoting morality and lifestyle in Vietnamese families period 2010-2020'.<sup>550</sup> The core objective of the project is, 'through pragmatic and relevant sensitisation and education activities, to create robust changes in the awareness and behaviours of social classes to maintain and strengthen the moral values, lifestyle, and beautiful manners in families, to make Vietnamese families truly a happy home for everyone, a healthy cell of the society, and to contribute actively to the construction and protection of the nation and Socialism.' The Viet Nam Women's Union, at all levels, is

545 Sài Gòn Giải phóng online. 'More than 1 million divorces in the last 10 years are caused by domestic violence.' 28 November 2018. Accessed 15 November 2020.

<https://www.sggp.org.vn/hon-1-trieu-vu-ly-hon-trong-10-nam-gan-day-co-nguyen-nhan-la-bao-luc-gia-dinh-562012.html>

546 Trần, TMT. 2012. *Divorce in contemporary Viet Nam: Prevalence, Patterns and Effects*. PhD thesis, Japan; 2014. *Model of Divorce in Contemporary Vietnam: A Socio-Economic and Structural Analysis of Divorce in the Red River Delta in 2000s*. Hanoi: Social Sciences Publishing House. 2016. "Prevalence and Patterns of Divorce in Vietnam: Tradition, Modernity, and Individualism." *Journal of Literature and Art Studies* 6(3):298-316.

547 Trần, TMT. 2012. *op.cit.* Gevers, A. et al. 2019. *Opportunities for and Challenges of Integrative VAC-VAW Approaches in Viet Nam*. Hanoi: UNICEF, UN Women and UNFPA.

548 Report of the Ministry of Culture, Sport and Tourism presented at a conference on 28 November 2018. See <https://www.sggp.org.vn/hon-1-trieu-vu-ly-hon-trong-10-nam-gan-day-co-nguyen-nhan-la-bao-luc-gia-dinh-562012.html>

549 Vu, ML. 2018. *op.cit.*

550 Decision 3391/QĐ-BVHTTDL – Approval of the Project on Communication and Education on moral and lifestyle in Vietnamese Family in the period 201-2020. <https://thuvienphapluat.vn/van-ban/van-hoa-xa-hoi/Quyết-dinh-3391/QĐ-BVHTTDL-phe-duyet-De-an-Tuyen-truyen-giao-duc-dao-duc-loi-song-trong-gia-dinh-Viet-Nam-giai-doan-2010-2020-95792.aspx>

tasked with promoting conciliation in order to 'prevent' an increase in divorce cases by 'resolving' the conflict before a divorce petition is filed with the court.<sup>551</sup>

Studies on divorce indicates that divorced women are less likely to remarry,<sup>552, 553</sup> and the expectation of re-marrying is lower for women than for men.<sup>554</sup> One of the reasons for this is the social stigma against women's re-marriage. Another major factor is the gender-biased norm binding women to the primary care role which encourages them to stay single for the sake of their children, meanwhile widowed or divorced men are encouraged to find a new wife to take care of them.

**Children are treated differently based on gender.** The total fertility rate in Viet Nam has been stable at the replacement level of 2 children for over the last two decades. In several cities and provinces, the fertility rate is as low as 1.5, with the lowest being in Ho Chi Minh City at 1.39.<sup>555</sup> Women in Ho Chi Minh City were encouraged to follow the family planning policy limiting families to two children back in 1980-1999, however nowadays they are encouraged to have more than one child. Son preference continues to be extremely common in Viet Nam. The imbalanced sex ratio at birth in Viet Nam is exceptionally high, and rated as the third

worst globally<sup>556</sup> with 111.5 boys for every 100 girls. Two recent studies by the Institute for Social Development Studies (ISDS)<sup>557</sup> have underlined the predominant gender norm and necessity of having a son in a family. In its 2015 study, 28.9 per cent of surveyed men and women agreed that a family must have a son. The 2020 study revealed a remarkably high percentage - 56.5 per cent - of Vietnamese men believed that having sons is the most important achievement for a man. The main basis for this biased perspective is the symbolic value of men over women in both ancestor worship and perpetuation of the family lineage.

551 "Divorce is soaring: thinking about culture of family interaction, 2nd article: [family is] broken because of disagreement of life's view or lack of life skills", <https://vovgiaothong.vn/ly-hon-tang-vot-ngam-ve-van-hoa-ung-xu-gia-dinh-bai-2-do-vo-do-bat-dong-quan-diem-hay-thieu-ky-nang-song>

552 Lê, T. 2002. Twenty First Century and the turmoil surrounding marriage and family in Viet Nam. *Journal of Philosophy* 4:44-48.

553 Nguyen, TT. 2002. Divorce: A case study of Ha Noi. Hanoi: Social Science Publishing House.

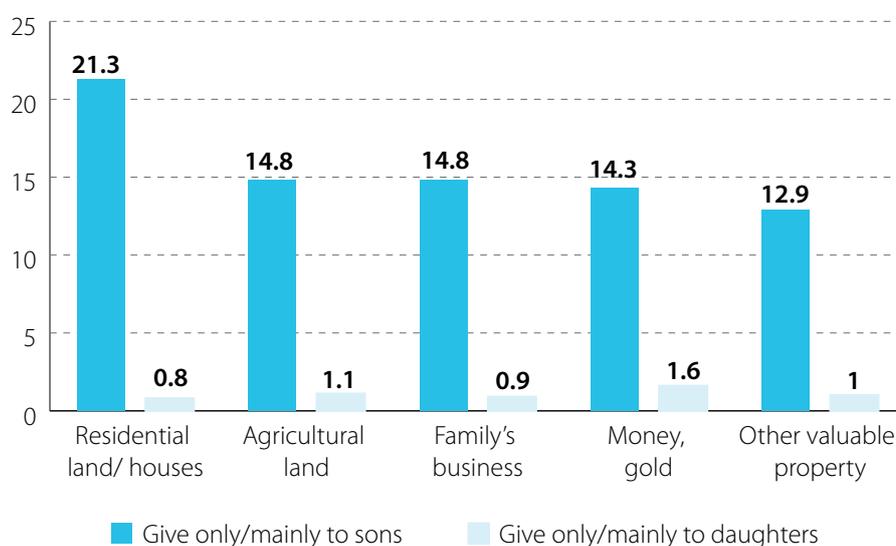
554 Ministry of Culture, Sports, and Tourism (MoCST), General Statistic Office, Institute of Family and Gender Studies and UNICEF, 2008. *Results of Family Survey in Viet Nam 2006*. Hanoi: MoCST & UNICEF.

555 General Statistics Office (GSO). 2019. *Viet Nam Population and Housing Census 2019*. op. cit

556 World Economic Forum (WEF). 2019. *Global Gender Gap Report 2020*. Geneva: WEF. UNFPA. 2020. *State of the World's Population*. New York: UNFPA.

557 Institute of Social Development Studies (ISDS). 2015. op.cit Institute of Social Development Studies (ISDS). 2020. op.cit

FIGURE 56: PLAN TO GIVE ASSETS EQUALLY TO CHILDREN, ACCORDING TO MEN (%)



Source: ISDS. 2020

The ISDS study in 2020 showed that more than one in every three men never engaged in housework during childhood. What is more, families tended to give sons more assets than daughters, especially land and residential property, as illustrated in Figure 56. Even though the equal treatment of sons and daughters is prescribed in the *Law on Marriage and Family*, traditional customs regarding property division within families has prevented daughters from inheriting land and houses. Consequently, unmarried women often do not possess their own house but must live with, and take care of, their brothers' families. Many divorced women end up not having a place to live in since, once married, they live with their husbands' family and no longer hold residency in their birth parents' house.

**Family life.** Traditional gender roles and stereotypes persist and remain prevalent in Vietnamese society. Domestic work including cooking, laundry, cleaning, and taking care of other family members remains women's main responsibility whereas men, as the family's

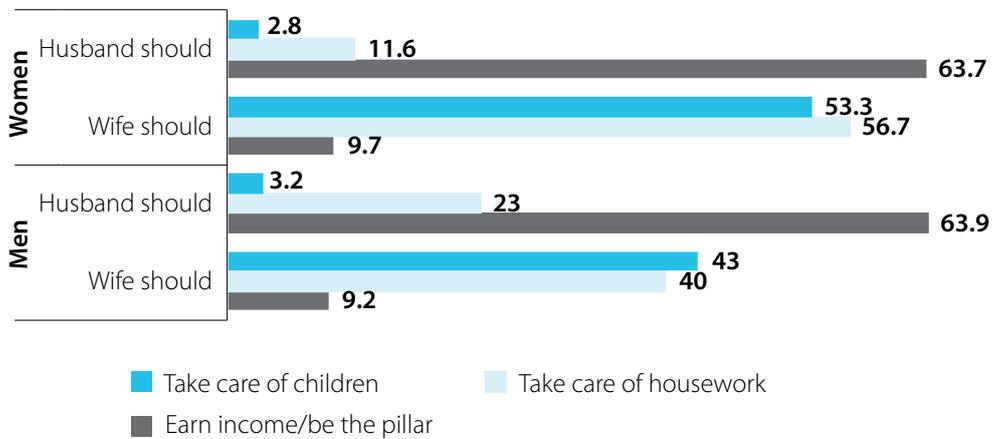
*pillar*, are in charge of making 'big decisions', earning an income, dealing with public affairs and owning valuable assets.

**Labour division: Men as a family's 'pillar' while women are the primary carers.**

According to another study (2018), more than 95 per cent of both men and women believed that men are the economic 'pillar' of the family. Only 9 per cent of women agreed that women should be the main earner of the family, while nearly 60 per cent of women agreed that they should take care of the family.<sup>558</sup> On the other hand, both men and women continue to believe that women are mainly responsible for housework and taking care of the children.

558 Ibid.

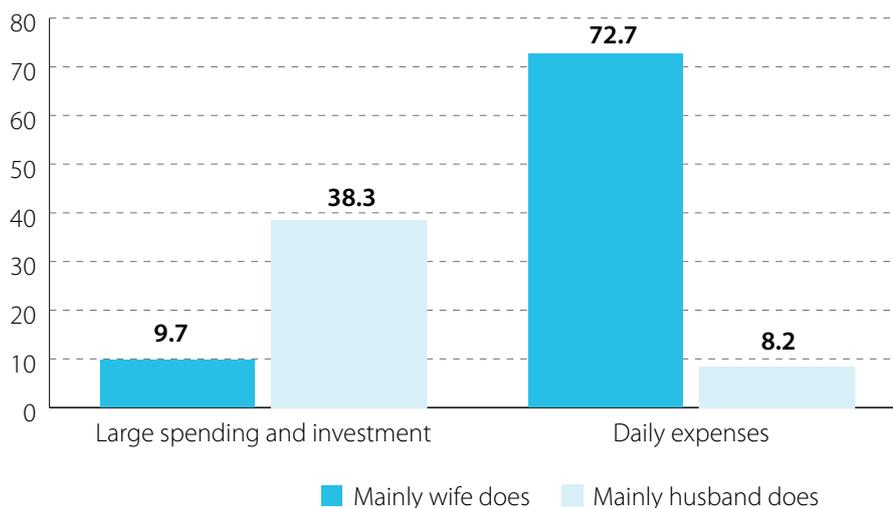
FIGURE 57: NORMS ABOUT THE GENDER DIVISION OF LABOUR<sup>559</sup>



Source: IFGS, 2018

**Decision making: Men have the final say in large expenditures while women decide daily spending.** Roughly 92 per cent of men and women thought that men should make the ‘important’ decisions in the family.<sup>560</sup> In fact, while 72.7 per cent of respondents said that decisions about daily expenses are made mainly by women (as compared to 8.2 per cent by men), decisions about large value expenditure and investment are mainly made by men.<sup>561</sup>

FIGURE 58: DECISION MAKING BETWEEN HUSBAND AND WIFE (%)<sup>562</sup>



Source: ISDS, 2020

559 Institute for Family and Gender Studies (IFGS). 2018. *Survey on Family in Viet Nam*. Hanoi: IFGS.

560 ISDS, 2015. *Social Determinants of Gender Inequality in Vietnam*. op.cit

561 ISDS, 2020. op.cit.

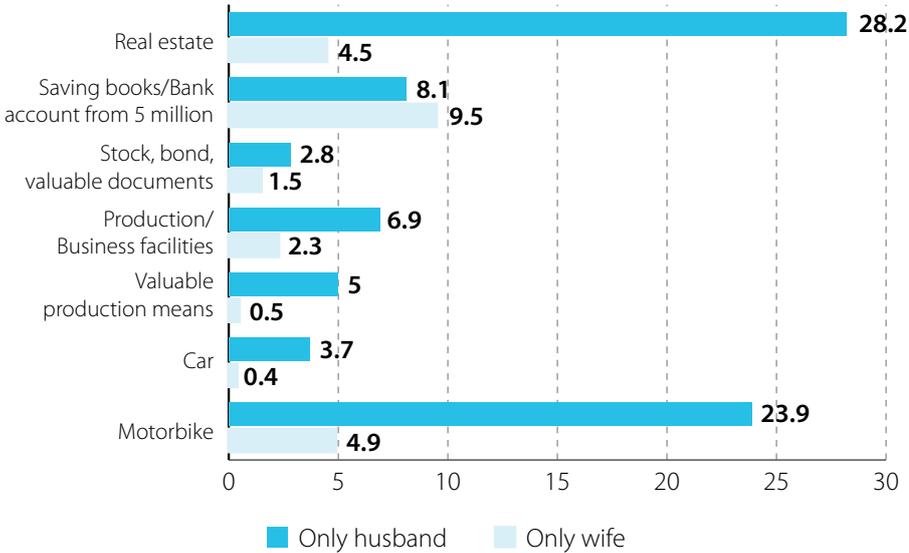
562 Ibid

**Asset ownership: Men own more valuable assets than women.** The proportion of men owning valuable household assets is many times higher than that of women. Specifically, the proportion of husbands who are the sole owner of family real estate is nearly seven times higher than that of wives (28.2 per

cent compared to 4.5 per cent). Similarly, the proportion of husbands solely owning large assets such as a car, production/business facilities, and a means of valuable production is several times higher than that owned solely by a wife.<sup>563</sup>

563 Ibid. Also see discussion of land and property in the CGEP.

FIGURE 59: ASSET OWNERSHIP IN THE FAMILY (%)<sup>564</sup>



Source: ISDS, 2020

564 Ibid.

**Intimate life: Men have a more satisfying sexual life than women.** Women are reported to be far less likely to initiate sexual activities and are less satisfied with their sexual life than men. In a study comparing women’s and men’s experience of unwanted sex, forced non-consensual sex by a partner<sup>565</sup> continues to be a pressing issue for women, with over 13 per cent of sexually active married women reporting at least one occasion of non consensual sex as opposed to 3 per cent of men. Non-consensual sex was also found to

occur more frequently among young women of lower education and living in rural areas. For example, up to 21.2 per cent of women with primary education or lower reported having experienced non-consensual sex, as opposed to 6.3 per cent among those with a university degree or higher. The study also pointed out that ‘when a husband wants sex, even if the wife is not in the mood, she has to comply.’

Furthermore, the same survey also revealed that the pressure of family planning rests primarily on the women’s shoulders as

565 Note that rape in marriage is not yet prohibited under the Penal Code.

the majority of couples rely on 'female' contraceptives. For instance, 26.8 per cent of couples rely on the use of an intra-uterine device compared to 10.5 per cent using male condoms.<sup>566</sup>

**Positive changes are visible.** Even though gender norms on marriage and family are consistent across various social groups, positive changes have been observed among the younger urban population where domestic chores and family care work tend to be better shared between husbands and

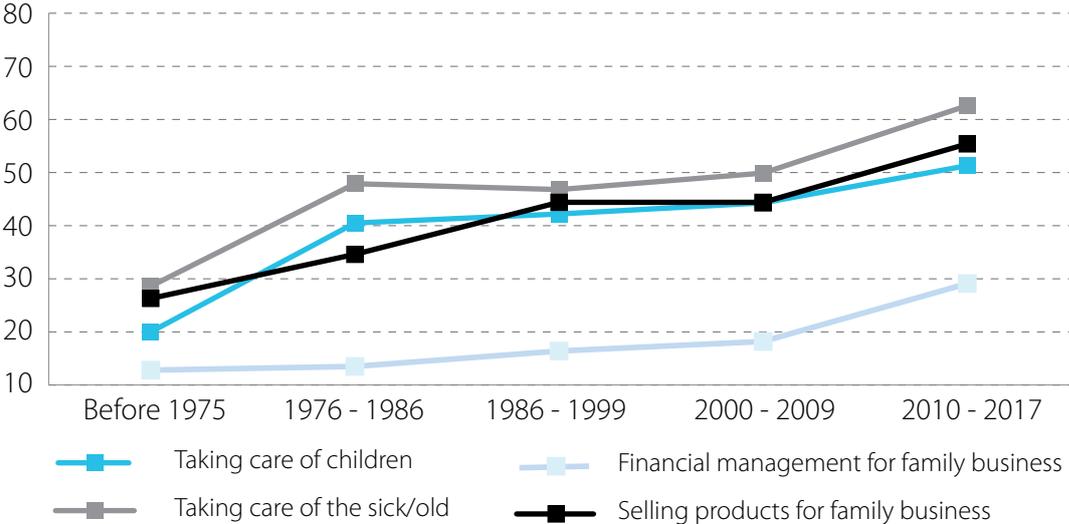
wives.<sup>567</sup> Statistical data over generations featured in Figure 60 clearly demonstrates significant progress among the younger generations, with the husband and wife sharing not only family business operations but also various aspects of housework.<sup>568</sup>

566 ISDS, 2015. op.cit

567 ISDS, 2020. Ibid.

568 Institute for Family and Gender Studies (IFGS). 2018. *Survey on Family in Viet Nam*. Hanoi: IFGS.

FIGURE 60: NO OF FAMILIES WITH SHARED ACTIVITIES BY YEAR OF MARRIAGE (%)



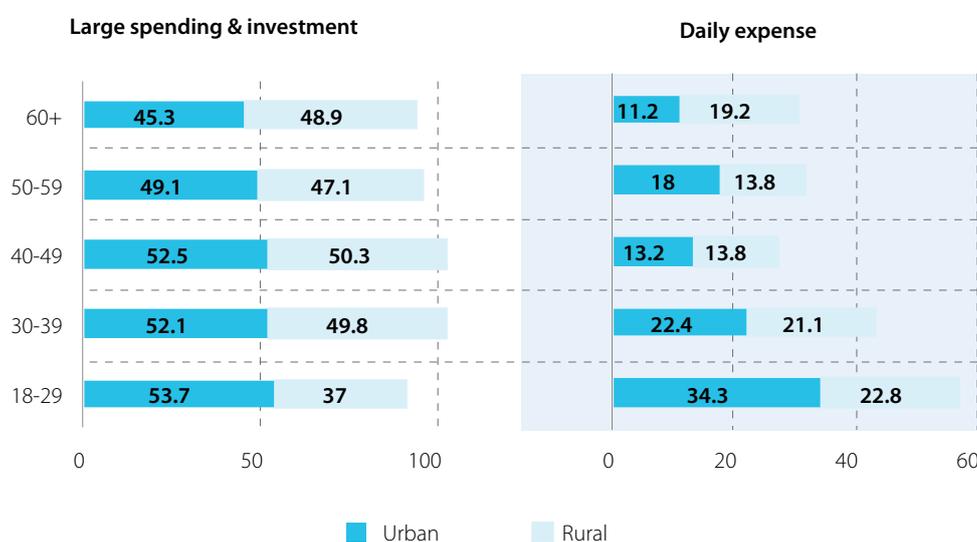
Source: Institute for Family and Gender Studies. 2018.

Another excellent example is the increasing rate of families with shared decision-making among the younger urban generations, in comparison to their older and rural counterparts. According to the ISDS survey (2020), for large spending and investment, 53.7 per cent of 18-29-year-old men in urban areas reported making the decision with their wives, while this rate for rural youth was 37 per cent. Similarly, for daily household spending,

34.3 per cent of urban men aged 18-29 years reported making the decision with their wives, whereas this rate for their rural male counterparts was 22.8 per cent (See Figure 61 below).<sup>569</sup>

569 ISDS, 2020. Ibid.

FIGURE 61: RATES OF SHARED DECISION-MAKING POWER IN THE FAMILY, BY AGE GROUP AND AREA (%)



Source: ISDS, 2020.

## Recommendations

- Revise the *Law on Marriage and Family* to remove gender-biased norms, including removal of:
  - Clause 4 of Article 2 which implies that women’s function is to be a good mother and that it is their duty to implement family planning;
  - Item a, Clause 1 of Article 8 that stipulates different minimum ages of marriage between men and women.
- While patrilocal traditions exist, it is important to enforce law on equal inheritance for women to obtain a share of their own parents’ property, or to stipulate responsibility of the native family to support divorced women who face difficulty in housing after divorce or child custody due to financial constraints.
- Provide family counselling services including services for couples who want to divorce, instead of solely offering the recourse to reconciliation mechanisms.
- Develop and implement a national communication strategy, entailing the following:
  - Addressing divisive gender-biased social norms which:
    - value women only through their fulfilment of the motherhood function instead of recognising their capacity and potential;
    - emphasize the “pillar” role of men and underestimate the contribution of women; and
    - tolerate unequal treatment between sons and daughters.
  - Promoting more equal gender norms through:
    - Engaging men and boys in sharing unpaid care work in the family;
    - Encouraging men to share responsibility in family planning; and
    - Equal treatment of son and daughters.

## 8.2 EQUALITY FOR LGBTQI PEOPLE

The LGBTQI<sup>570</sup> movement in Viet Nam is a young social movement. However, over the past decade, the LGBTQI community has pushed for and achieved remarkable changes in the legal framework and in social attitudes in Viet Nam.

**Early social, legal and political situation for the LGBTQI community.** Most Vietnamese do not belong to one of the officially recognized religious communities.<sup>571</sup> However, people's beliefs are strongly influenced by the ideologies of Buddhism, Confucianism, Taoism and the Vietnamese tradition of ancestor worshipping, which prescribe gender roles within the family and the responsibility to maintain the family line.<sup>572</sup> It has been suggested that the tradition of worshipping Mother Goddesses has been honouring gender diversity of 'spirit mediums' who perform the 'hầu đồng' ritual in Viet Nam.<sup>573</sup> People with the traits of men and women who balance the *yin* and *yang* in traditional gender roles are considered be able to communicate with the gods.<sup>574</sup>

However, within Vietnamese society, conservative attitudes remain strongly attached to binary gender roles and rigid notions about relationships, family and self-expression. This was manifest in the views expressed publicly during the 2013 debate about same-sex marriage where many believe that the State should not recognize same-sex marriage, since it is against the nation's customs and traditions.<sup>575</sup> Gender equality, as stipulated in the *Constitution* and *Gender Equality Law*, still reinforces a gender binary.<sup>576</sup> Human rights and human rights activism remains a "sensitive" topic domestically, with limitations on legal frameworks to fully exercise freedom of association, expression and assembly.<sup>577</sup>

In the early 2000s, LGBTQI people in Viet Nam were hidden and only connected anonymously through online forums. Social discourse regarding LGBTQI people was negative, with most news articles referring to LGBTQI people as "unnatural", as having "a mental disorder", a "social evil", "western influenced" or "morally wrong"<sup>578</sup>. These messages reflected the level of understanding of LGBTQI equality issues in society at that time.

### Viet Nam has never criminalized homosexuality, transgenderism or

570 This feature section was prepared by Luong The Huy, iSEE with contributions from the Viet Nam Youth Alliance and ICS Center.

571 Press Statement on the visit to the Socialist Republic of Viet Nam by the Special Rapporteur on freedom of religion or belief, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14914&LangID=E>

572 Khuat, TH., Le, BD and Nguyen, NH. 2009. *Sexuality in contemporary Vietnam: easy to joke about but hard to talk about*. Hanoi: Knowledge Publishing House.

573 Endres K.W., *Imperious mandarins and cunning princesses: Mediumship, gender and identity in urban Vietnam, Weaving women's spheres in Vietnam: the agency of women in family, religion and community*, 193-217, 2015; Newton N, *Homosexuality and transgenderism in Vietnam*, Routledge handbook of sexuality studies and East Asia, 255-268, 2014; Blanc Marie-Eve, *Social Construction of Male Homosexuality in Vietnam. Some keys to Understanding and Implications for HIV Prevention Strategy*, International Social Science Journal 57 (186), 661-673, 2005; Tran R.Q.A, *An Epistemology of Gender*, Journal of Vietnamese Studies 9(2), 1-45, 2014

574 Quynh Trang, *How I Became A Medium*, <https://e.vnexpress.net/interactive/2017/how-i-became-a-medium>, VnExpress International, 2017.

575 Vietnam to remove fines on same-sex marriage, Tuoi Tre News, <https://tuoitrenews.vn/society/13750/vietnam-to-remove-fines-on-samesex-marriage>, 3/10/2013

576 *Constitution of the Socialist Republic of Vietnam 2013*, Article 26: "Male and female citizens have equal rights in all field", <http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/94490/114946/F114201808/VNM94490%20Eng.pdf> (Unofficial English translation); Law on Gender Equality 2006, Article 5.3: "Gender equality indicates that man and woman have equal position and role", <http://ilo.org/dyn/natlex/docs/ELECTRONIC/76089/93441/F462322795/VNM76089.pdf> (Unofficial English translation)

577 United Nation Human Rights Council, Working Group on the Universal Periodic Review 32nd session, *Compilation on Viet Nam: Report of the Office of the United Nations High Commissioner for Human Rights, A/HRC/WG.6/32/VNM/2*, paragraph 32-36, 2019.

578 iSEE & the Academy of Journalism & Communication, Communication messages on homosexuality on printed and online media, 2008

transvestism. Yet, it has never enacted specific provisions to recognise sexual orientation and gender identity. Same-sex marriage is not recognized by law, leaving same-sex couples living together without any legal protection or rights. In 2000, Viet Nam adopted the revised *Marriage and Family Law*, which explicitly banned same-sex marriage.<sup>579</sup>

### Recent community and legislative developments for the LGBTQI community.

From anonymous forums in the early 2000s, LGBTQI individuals are now much more visible in society, with a knowledge of their rights and the motivation to make their voices heard. This has resulted in the development of countless community-based organizations across Viet Nam. These organizations and their focus are noticeably diverse, ranging from organizational models (e.g. online fanpages, volunteer groups, social enterprises, informal networks) to target groups (gay, lesbian, transgender, bisexual, LGBTQI students, LGBTQI parents and families) and the promotion of specific interests (policy advocacy, public awareness raising, community building, and inclusive healthcare services).

The annual '*Pride*' event, with thousands marching across the country,<sup>580</sup> is also a remarkable outcome of the LGBTQI movement in Viet Nam. *Viet Pride* started in 2012 in Hanoi and by 2018 it had spread to 35 provinces across Viet Nam. The *Pride* in each province was organized by the local community, reflecting the motivation, capacity and empowerment of communities to address their own issues. Grassroots communities are the driving force of the LGBTQI movement in Viet Nam. Along with the growth of the movement in general, the capacity of each community within the

movement, especially underrepresented groups such as transgender people, intersex individuals or LBQI women, needs to be given adequate attention. Also, the growing number of community-based organizations demand a coordinating mechanism that can represent them, distribute resources and coordinate joint efforts, in order to sustain this community-led movement.

Regarding social attitudes and the acceptance of LGBTQI people, there has been an enormous shift in the quantity and quality of social discussion regarding LGBTQI equality issues, from the 2000s until now. With successful and widespread social campaigns promoting the universal values of love, tolerance and freedom, social discussions have been increasingly progressive and positive in tone, with the topics shifting to better reflect the real stories and lived experience of LGBTQI individuals in Viet Nam. However, LGBTQI people continue to face discrimination in all aspects of life, from family to education and workplaces, with 31.6 per cent of LGBTI individuals reporting that they had experienced discrimination in the last 12 months<sup>581</sup>, according to a survey conducted by iSEE (2015).

Regarding the legal framework, Viet Nam removed the ban on same-sex marriage in the *Marriage and Family Law* in 2014<sup>582</sup> but there is still no legal recognition of same-sex union. For example, adoption is limited to 'a single parent or a couple of husband and wife',<sup>583</sup> and there are no provisions relating to sexual and reproductive health rights, pregnancy or IVF, and consequent birth registration.

579 *Law on Marriage and Family 2000*, Article 10, <http://vbpl.vn/TW/Pages/vbpqen-toanvan.aspx?ItemID=11018>

580 TuoiTreNews, *Love in the air at gay pride parade in Ho Chi Minh City*, <https://tuoitrenews.vn/news/lifestyle/20170925/love-in-the-air-at-gay-pride-parade-in-ho-chi-minh-city/41738.html>, 2017.

581 iSEE. 2015. Is it because I am LGBT. [https://static1.squarespace.com/static/526c21b5e4b0d43e45f6c4c2/t/5731c269cf80a12bea56b379/1462878925635/iSEE\\_SOGI+Discrimination+in+Viet+Nam.pdf](https://static1.squarespace.com/static/526c21b5e4b0d43e45f6c4c2/t/5731c269cf80a12bea56b379/1462878925635/iSEE_SOGI+Discrimination+in+Viet+Nam.pdf)

582 *Law on Marriage and Family 2014*, Article 8, <http://vietnamlawenglish.blogspot.com/2014/06/vietnam-marriage-and-family-law-2014.html>

583 *Law on Adoption 2010*, Article 8(3), <https://vanbanphapluat.co/law-no-52-2010-qh12-on-adoption>

Moreover, the law also does not recognize same-sex marriages which are conducted in other countries between Vietnamese citizens and foreigners. In 2015, legislators changed the definition of “rape” in the *Penal Code* of 2015<sup>584</sup> to ‘non-consensual intercourse between two people’, thus extending this protection to LGBTQI citizens. The law also recognized transgender people’s right to undergo gender affirming surgeries, and the legal recognition of their gender identity in Article 37 of the *Civil Code* of 2015.<sup>585</sup>

The new *Civil Code* 2015 reiterated the regulation in Decree 88/ND-CP/2008 on people who are born with intersex status.<sup>586</sup> The new provision was a concern since it still allowed for a young intersex person to undergo non-consensual gender assignment surgery,<sup>587</sup> creating the risk that the reaffirmed gender might not match with their gender identity.<sup>588</sup>

The Government of Viet Nam has repeatedly supported LGBTQI equality in international spaces such as the UN<sup>589</sup>, showing an open and receptive attitude towards collaboration with LGBTQI organizations. At this point in time, however, the draft *Gender Affirmation Law* (proposed to regulate Article 37 of the *Civil Code*) stalled after the appraisal stage, leaving the transgender community without formal recognition of their full array of rights. Same-sex marriage remains unrecognized.

With the amendment of the *Marriage and Family Law* coming up, policy advocacy regarding both transgender rights and same-sex marriage, will remain a top priority of the movement.

## Recommendations

- Ensure that the draft *Gender Affirmation Law* is consistent with the 2007 Yogyakarta Principles<sup>590</sup> and the guiding principle of self-determination and ensure that it does not pathologise gender diversity as a disease to be medically treated or cured. Retain the positive aspect of the draft *Gender Affirmation Law*, which facilitates medical intervention (hormonal/surgical), if transgender people so choose.
- Adopt a progressive definition of gender equality that recognises gender identity as a spectrum and not a binary and recognise self-determination in gender identity.
- Promote opportunities for gender equality-related input on law and policy development, programming and services to represent a diversity of organisational voices including groups representing lesbian, gay, bisexual, transgender, queer and intersex communities and constituencies.

584 *Penal Code 2015*, Article 141 <https://www.wipo.int/edocs/lexdocs/laws/en/vn/vn086en.pdf>

585 *Civil Code 2015*, Article 37. <http://hethongphapluatvietnam.net/law-no-91-2015-gh13-dated-november-24-2015-the-civil-code.html>

586 Ibid. Article 36.

587 The new provision was a concern since it still allowed for a young intersex person to undergo non-consensual gender assignment surgery,

588 Resolution adopted by the Human Rights Council on 30 June 2016. [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/RES/32/2](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/RES/32/2)

589 Resolution adopted by the Human Rights Council on 30 June 2016. [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/RES/32/2](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/RES/32/2)

590 International Commission of Jurists (ICJ) (2007) *Yogyakarta Principles – Principles on the application of international human rights law in relation to sexual orientation and gender identity*. Please also see Yogyakarta Principles Plus 10 (YP+10, 2017, <https://yogyakartaprinciples.org/principles-en/yp10/>). Cited in United Nations Viet Nam. 2021. UN Recommendations on Viet Nam’s draft Gender Affirmation Law (draft version from January 2018). Hanoi: UN.

## 8.3 EQUALITY IN THE MEDIA

**A shift in focus from messaging to the portrayal of gender relations.** Traditional and social media, news and advertising have a significant influence and reach for projecting gender ideals and stereotypes. With a tradition of mass communications in Viet Nam, media is regarded as an important vehicle for messages on gender equality. In the two successive *NSGEs (2011-20 and 2021-30)*, media-based communications on gender equality constituted stand-alone objectives. The supporting targets focused mostly on the broadcast of regular, specialised newspaper columns to raise awareness of gender equality. The review of the *NSGE 2011-20* reported the achievement of Objective 5 and its two communications targets, and it noted an increasing number of images in the mass media where women are ‘assertive and confident’ and of women sharing housework with men.<sup>591</sup> However, the review further acknowledged that Viet Nam has not undertaken an assessment of the impact of this gender awareness raising, nor any systematic research into gender portrayal in the media.<sup>592</sup>

In 2015, the CEDAW Committee expressed concern about the persistence of gender bias and the stereotyped portrayal of women in the media. It recommended cooperation with media organisations to enhance understanding of gender equality and encourage a positive portrayal of women.<sup>593</sup> While Viet Nam’s Law on Advertising (2012)

expressly prohibits the publication of gender stereotypical or discriminatory content, the Media Law (2016) does not. Additionally, there is no obligation upon media agencies to adhere to the principle of gender equality in reporting, nor to print corrections or apologies for discriminatory content. This is an area which needs strengthening in the legal framework.<sup>594</sup>

Positively, in 2014, the Ministry of Information and Communications launched a set of Gender-Sensitive Indicators for the Media (GSIM). Drawing on a global framework developed by UNESCO, the GSIM is a set of six indicators that assess 1) gender equality and balance within media organisations, and 2) gender portrayals in media content. However, reporting against these indicators was not available.

**Media as a new frontier of gender equality research.** Over the past five years, a growing number of discourse analyses have been published on gender aspects of media and reporting. These have covered the themes of women leaders, gender-based violence, advertising during the Tết (Lunar New Year) holiday, and more recently during COVID-19. Key findings are summarised as follows, and highlight the gendered messages that are projected through the media:

- COVID-19: ‘Women, be pleased your men are at home.’ A media analysis during the early onset of COVID-19 in Viet Nam found that the media recognised and responded to the changed dynamic of family being at home together ‘24/7’. The media featured women’s homemaking role and acknowledged the increased volume in chores. However, it was pitched in terms of an opportunity for renewing their care

591 Government of Viet Nam. 2020. Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020.

592 Ibid.

593 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. op. cit

594 Articles 4, 9, 25, 42 and 59 of the current law have been highlighted as priorities for reform. Ministry of Labour, Invalids and Social Affairs and UNFPA. 2020. *Review of 10 Years of Implementing the Law on Gender Equality*. op. cit

of, and intimacy with, their husbands. Men were presented as working from home and spending more time with their family. However, women were not portrayed as also having jobs.<sup>595</sup>

- Tết holiday advertising. 'A study of 25 television commercials aired over three Tet holiday periods (2013, 2014 and 2015) found six dominant representations of women: as family cook; as teacher and carer of 'her' children; caretaker of family members; as subordinate to her spouse; and as the performer of household chores. By contrast, young men were portrayed as professional, in work clothing in contrast to women (even when performing the same task such as cooking/chef), and male characters were the only ones who looked directly at the camera. Portrayals were viewed as reinforcing Confucian norms, which were heightened for the traditional holiday period.<sup>596</sup>
- Women leaders 'Competent at work and home, while also being beautiful': Based on analysis of 3,429 media sources on leadership in 2015, the study found that women leaders were under-represented in reporting (even compared with their leadership proportion). Women government leaders appeared in 9.1 per cent of articles, compared with 90.2 per cent of men. Commentary on their physical appearance and their attention to their family was a common theme of stories on women leaders, whereas men were presented as decisive and having agency. Interviews with journalists further revealed that they sought male leaders for opinions on issues, since they

were perceived as more authoritative and qualified, whereas women were 'compassionate' in their responses.<sup>597</sup>

- Gender-based violence: A discourse analysis was undertaken of 100 articles from four online newspapers<sup>598</sup> on the topic of gender-based violence, to reveal subconscious views and the projection of messages about violence. The media analysis confirmed the prevalence of victim-blaming, with articles focusing on sensational cases and describing the victim's behaviour as provocative (eg revealing clothing, not allowing husband to drink alcohol or mistreating their children). The scenarios were described as private, and the violence downplayed as 'wife pushing' and other intimate terms. Suspicion of a victim's trustworthiness was often highlighted, and less than half of the articles (43 per cent) reported on the impact of the violence upon the victim's life.<sup>599</sup>

These articles attest to the importance of working with media agencies to promote a balanced portrayal of men and women, and to arrive at new ways of reporting that attract a readership without the need of sensationalism or stereotyping. With the proliferation of social media in Viet Nam and estimates of over 70 million Facebook users as of January 2021, this will be where increased analysis and monitoring is needed.<sup>600</sup>

595 McLaren, HJ. et al. 2020. "Covid-19 and Women's Triple Burden: Vignettes from Sri Lanka, Malaysia, Vietnam and Australia." *Social Sciences* 9 (5): 87-98.

596 Nguyen, HL. 2016. "Vietnamese women's representation in TV commercials related to Lunar New Year: A Critical Discourse Analysis." *VNU Journal of Science: Foreign Studies* 32 (2), pp21-31.

597 Vu, HT. et al. 2019. "Delicate and durable': An analysis of women's leadership and media practices in Vietnam." *International Journal of Media and Cultural Politics* 15(1), pp 87-108; Oxfam in Vietnam. 2016. *Gender Stereotypes against Female Leaders in the Vietnamese Media*. Hanoi: Oxfam.

598 The total number of articles identified was 1,626 of which 100 were sampled for in-depth analysis: VnExpress (the Law section), Tuoi Tre (the Law section), Phu Nu Online (the News section), and Phap Luat Thanh Pho Ho Chi Minh (the Law section).

599 Nguyen, TH. and Chu, LA. 2018. *Between the Lines: Discourse analysis on blaming victims of gender-based violence*. Hanoi: Institute for Studies of Society, Economy, and Environment.

600 <https://datareportal.com/reports/digital-2021-vietnam>

## Recommendations

- Publish data and research drawn from the monitoring of gender messages and portrayal in traditional and social media, with recommendations targeted to key media agencies and platforms.
- Promote gender equitable standards in media agencies.
- Address and counter victim-blaming and pejorative reporting of victims of violence in the revision of the new *Law on Domestic Violence Prevention and Control*.
- Support a national communications campaign that promotes progressive portrayals of gender equality, especially equal opportunity messages on work and family life, and the sharing of unpaid care work.

## 8.4 EQUALITY FOR WOMEN WITH DISABILITIES



The experience of women living with disabilities in Viet Nam is not widely appreciated in the public sphere. This is partly owing to the lack of survey and administrative data that is disaggregated by sex and disability. It also reflects the paucity of in-depth consultation and analysis with and by women with disabilities about their lives. Differences in the circumstances, barriers and opportunities faced by particular groups with disabilities is also not well known, for example when comparing women and men with disabilities, women with disabilities and abled women, and between women living with different disabilities and functioning levels. This lack of information perpetuates the invisibility and low prioritisation of people with disabilities in policy, programs and services, as well as resulting in a lack of approaches that are gender and disability-responsive.

On the other hand, there have been outstanding initiatives and achievements led by Vietnamese women with disabilities that could be more widely known. These include: the founding of several national Disabled Persons Organisations (DPOs) in Viet Nam that have large networks across the country; advocacy that has led to the introduction of sign language on the in-flight safety videos for the national airline, and toilets catering to people with disabilities in the major airports; the trialling of 3D printing to manufacture low-cost assistive devices; and a google maps-inspired application that rates the accessibility of public infrastructure across Viet Nam.<sup>601</sup>

<sup>601</sup> The information in this section draws on interviews with a small number of women from national Disabled Persons Organisations, namely the Center for Disability and Development (DRD), Action to the Community Development Institute (ACDC) and Will to Live.



**Population-level data.** Viet Nam's National Survey on People with Disability 2016, the first of its kind, was published in 2018.<sup>602</sup> The results showed that 7.06 per cent of the population aged 2 years and older lived with disabilities. The 2019 Census updated and disaggregated this figure to report that 7.8 per cent of the population lived with disabilities, equivalent to 7 million people – larger than the population of more than 100 small nations. Women accounted for 58 per cent of this total (or 4.06 million people), and men were a smaller proportion at 42 per cent (or 2.94 million). The GSO identified that the likely contributing factor to this gender difference was women's longer life expectancy, and the increasing prevalence of disability among the elderly.<sup>603</sup> To date, there are no statistics on the percentage distribution of specific disabilities, disaggregated by sex. The CEDAW Committee recommended that Viet Nam enhance the disaggregation of data, including by disability, to assess progress among all women.

**Laws and policies.** In 2010, Viet Nam passed a Law on Persons with Disabilities<sup>604</sup>, and in 2014 it disseminated its first National Technical Standards on the accessibility of construction for public works and newly constructed apartment buildings. In the last five years, after its ratification of the UN Convention on the Rights of Persons with Disabilities in 2015, Viet Nam has introduced several decrees, policies and plans to strengthen its framework on the rights of people with disabilities. This has included the Prime Minister establishing a National Committee on Persons with Disabilities, the launch of a National Action Plan on Rehabilitation Development 2014-2020, and circulars guiding the provision of social assistance, including to

people with disabilities.<sup>605</sup> The above laws and instruments do not include any reference to gender issues or to differences between men and women with disabilities. Similarly, there is no specific reference to women or girls with disabilities in the guiding gender equality documents, namely the Gender Equality Law and the National Strategy on Gender Equality 2021-2030. This is an area of much needed development, to ensure that the legal framework recognises the differences and experiences faced by people with disabilities on account of their gender, and that their rights and protection from different forms of discrimination is explicitly recognised. On a positive note, the next phase of Project 1190 in Viet Nam – the Support Program for People with Disabilities 2021-30 does include a gender index and the collection of disaggregated data.

In terms of gender-responsive priorities, in 2015, the CEDAW Committee<sup>606</sup> specifically recommended that Viet Nam systematically collate data on all forms of violence against women, including the disaggregation by disability. It also recommended that Viet Nam fully guarantee the rights of women and girls and men and boys to, 'free, age-appropriate and high-quality information on sexual and reproductive health and to affordable family planning services and contraceptives', without distinction on the basis of disability, and that sterilisation and contraception should be with consent and voluntary. In 2019, the Human Rights Committee also recommended that Viet Nam should, 'intensify its efforts to protect persons with disabilities from discrimination, ensure that they have full access to public services, including education, employment and public transportation, and raise awareness

602 General Statistics Office (GSO). 2018. National Survey on People with Disabilities 2016. Hanoi: GSO.

603 Ibid.

604 No. 51/2010/QH12 on 17 June 2010.

605 For the full list of laws, decrees and circulars, see the Annex to Viet Nam's State Report to the Committee on the Rights of Persons with Disabilities (2018).

606 UN CEDAW (United Nations Committee on the Elimination of Discrimination against Women). 2015. op. cit

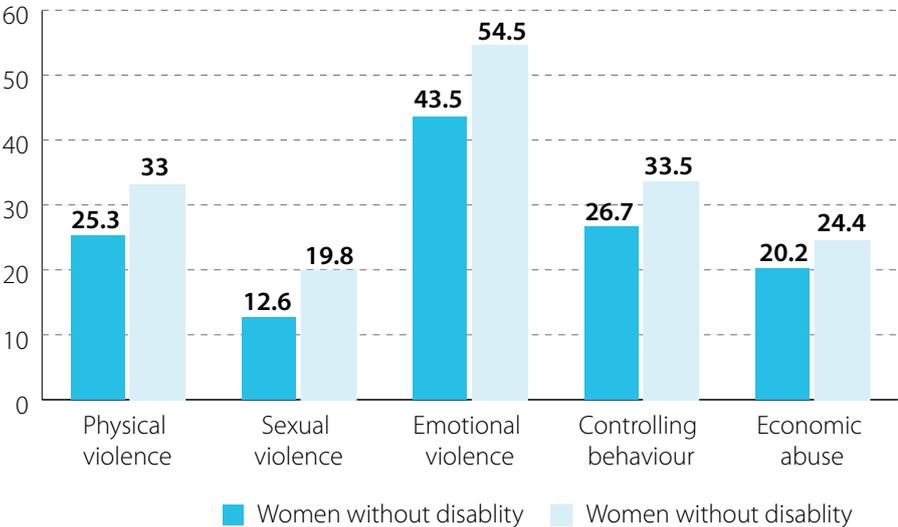
of the rights of persons with disabilities, including among government officials, health workers and the general public.<sup>607</sup> Using a gender lens to identify these priorities would further ensure the appropriateness, acceptability and effectiveness of any future measures.

**Higher prevalence of violence among women with disabilities.** The second National Study on Violence Against Women in Viet Nam 2019<sup>608</sup> was specifically designed to include the experience of women with

disabilities. The study found that 9 per cent of the 5,976 women interviewed for the study were identified as having disabilities (using the Washington Group guidance and threshold). The findings were clear that women with disabilities experienced much higher rates of violence by a husband or partner in their lifetimes, than women without disabilities. This held for all forms of violence, namely physical, sexual, economic, emotional abuse and controlling behaviours (see Figure 62). Additionally, the experience of childhood sexual abuse was higher among women with a disability (6.4 per cent) as compared with women without a disability (4.2 per cent).

607 Human Rights Committee. 29 August 2019. Concluding observations on the third periodic report of Viet Nam. CCPR/C/VNM/CO/3.  
 608 Government of Viet Nam & UNFPA. 2020. National Study on Violence Against Women in Viet Nam 2019. Hanoi: MOLISA & UNFPA.

FIGURE 62: PREVALENCE OF VIOLENCE BY A HUSBAND/PARTNER DURING LIFETIME AMONG EVER MARRIED/PARTNERED WOMEN, BY DISABILITY STATUS.



Source: Government of Viet Nam and UNFPA. (2020)

The study noted that violence against women often leads to their isolation and separation from the community and forms of support. This is compounded in the case of women with disabilities, who may face greater barriers in terms of seeking and reaching support – and they could be placed at higher risk of more frequent or severe violence on account of their isolation.

DPOs consulted for the CGEP noted that there was more discussion on violence experienced by women and girls with disabilities after this survey was published. This included coverage in the media, and invitations being extended to DPOs to participate in discussions on policy and plans of action to address violence against women.

**Lower access to employment and resources.** Globally, employment rates for women with disabilities are considerably lower than that of men with disabilities, at 20.1 per cent and 56.7 per cent respectively. Both rates are lower than those for abled women and men, at 31.5 per cent and 71.2 per cent respectively. These patterns hold in higher income countries also, and people with multiple disabilities have the lowest level of employment by global averages. This is also the case in Viet Nam. Results from the national disability survey in 2016 showed that only 32.76 per cent of people with disabilities participated in the labour force, as compared with 83.2 per cent among people without disabilities. The percentage of women with disabilities in the labour force was reported as 30.5 per cent. The rate for men with disabilities was only marginally higher, at 36.2 per cent.<sup>609</sup>

Priorities expressed by women from DPO networks. The CGEP consulted women from three DPOs. While the views are not taken as representative of all women with disabilities

in Viet Nam, they offer important insights and observations gleaned from their national networks and activity:

- That women with disabilities tend not to participate in the executive committee level of Disabled Persons Organisations. This is partly because of their care work and home responsibilities.
- Women with disabilities, and DPOs in general, are not regularly invited to engage in the design of development programs. Where international organisations do support women with disabilities, they are mostly centred on Hanoi.
- There is a need to upgrade the knowledge and sensitise the health sector to the rights of people with disabilities, especially women's sexual and reproductive health rights, and the right to have a child.
- There is a need for concrete planning and outreach to women with disabilities in relation to gender-based violence. Women with disabilities often 'dare not' speak up or protest about a situation because of the dependence on their family. Families can also be over-protective in sheltering daughters with disabilities due to a fear of them being abused. Women and girls with disabilities, with their lower access to school and to information, may not be aware that violence is a crime. They may tolerate it.
- In terms of employment, some companies have approached DPOs to offer places to students with disabilities. However, the lower levels of access to education and training mean that it is difficult to immediately find women and men with disabilities who meet the position requirements, relegating the workers to low-level roles. Long term planning and

609 General Statistics Office (GSO). 2019. Gender Statistics in Viet Nam 2018. op.cit.

training programs are needed.

- Concern was also expressed about the compound hardships faced by women from ethnic minority groups on account of their remoteness and low access to information, services and DPO support. It was noted that boarding schools do not provide facilities for students with disabilities, and so this excludes ethnic minority people from access to education.

### Recommendations.

- To undertake gender assessments on people with disabilities to identify gender-specific issues, barriers, strengths and opportunities to inform the formulation of policy, programs and services.
- With Viet Nam's considerable statistical capacity, strengthen data collection frameworks and implement the disaggregation of data by gender and disability and ethnicity.
- To specifically seek the involvement of DPOs, ensuring the participation of women with disabilities, in consultations pertaining to law revision and the design of socio-economic programs.
- Acknowledge women and girls with disabilities in the revision of the Gender Equality Law and of the Law on the Prevention and Control of Domestic Violence.
- As a priority, ensure that plans addressing gender-based violence specifically involve and support women with disabilities.

## 8.5 SOCIAL PROTECTION OVER THE LIFE COURSE

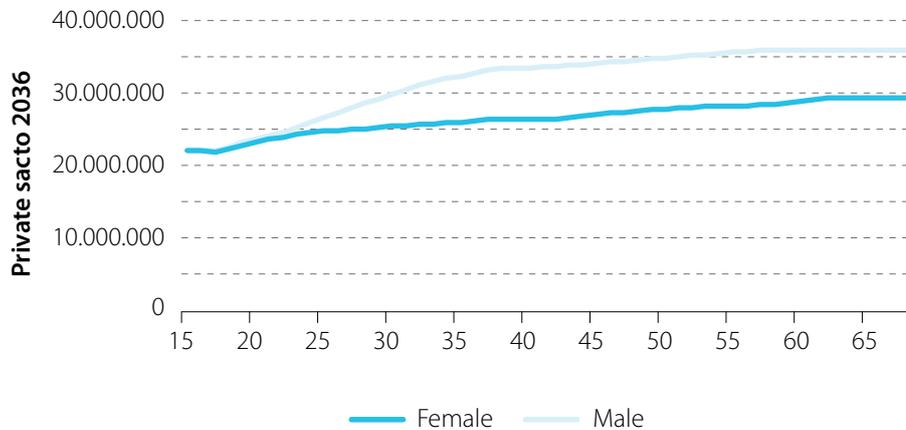


Social protection is the set of policies and programmes designed to reduce and prevent poverty and vulnerability throughout the life cycle. This includes benefits for children and families, maternity, unemployment, employment injury, sickness, old age, disability, survivors, as well as health protection. Social protection systems address these risks by a mix of contributory (social insurance) and non-contributory tax-financed benefits, including social assistance. Well-designed and implemented social protection systems recognize and address women's specific life-cycle transitions and risks, which are often compounded by multiple and intersecting forms of discrimination. At a young age, girls face barriers to education, including through their involvement in domestic work.<sup>610</sup> Adolescent girls are at risk of early pregnancy and school dropout. Women are more likely than men to work in precarious, informal jobs, shoulder a greater burden of unpaid care, and face interruptions and inequalities in paid work. In Viet Nam, as elsewhere, these life-cycle vulnerabilities accumulate, increasing vulnerability in old age and resulting in gaps in social protection benefits and coverage across women's lives.

610 Camilletti, E., Banati, P. and Cook, S. 2018. 'Children's Roles in Social Reproduction: re-examining the discourse on care through a child lens'. *The Journal of Law, Social Justice & Global Development* 21.



FIGURE 63: PROJECTED AVERAGE INSURABLE EARNINGS IN VIET NAM, BY GENDER, 2026-2056<sup>611</sup>



611 Ramírez López, B. and Arza, C. 2021. *Adapting social insurance to women's life courses: A gender impact assessment of Viet Nam*. Hanoi: ILO.

**The legal framework.** Viet Nam's *Social Insurance Law* (2014) covers employees in the public and private sectors in the event of sickness, maternity, labour accidents and occupational diseases, old age and death, whilst unemployment insurance is covered by the *Employment Law* (2015). In May 2018, the Party issued *Resolution 28-NQ/TW (R28)*, a *Master Plan on Social Insurance (MPSIR)* to guide the reform of Social Insurance with the goal of achieving universal coverage. Several of the measures included in R28 can have gender impacts, the nature of which will depend on specific design features not yet specified in existing legal instruments. This is the case of adjustments such as who can qualify for a pension and how benefits are indexed over time, among others.

On the other side of the spectrum, there is no legislation regulating non-contributory benefits beyond *Ministerial Decree 136* and the *Master Plan on Social Assistance Reform and Development (MPSARD)* 2017. The lack of a

legally enforceable entitlement for protection is a major weakness of the Vietnamese system as it limits effective supervision, the allocation of required state funding, accountability and protection against arbitrary decision-making which specifically affects women and other vulnerable groups who rely on this State support.<sup>612</sup> Women, in particular, rely more on non-contributory benefits, particularly for old age pensions, due to their reduced access to social insurance benefits.<sup>613</sup>

Neither the MPSIR nor the MPSARD contain specific goals with regards to improving gender equity in the system. However, the revised *Labour Code* approved in November 2019 motivated debates on gender equity in the labour and social insurance systems, particularly through the reform of the differentiated retirement ages for men and women. Gender discrimination is not

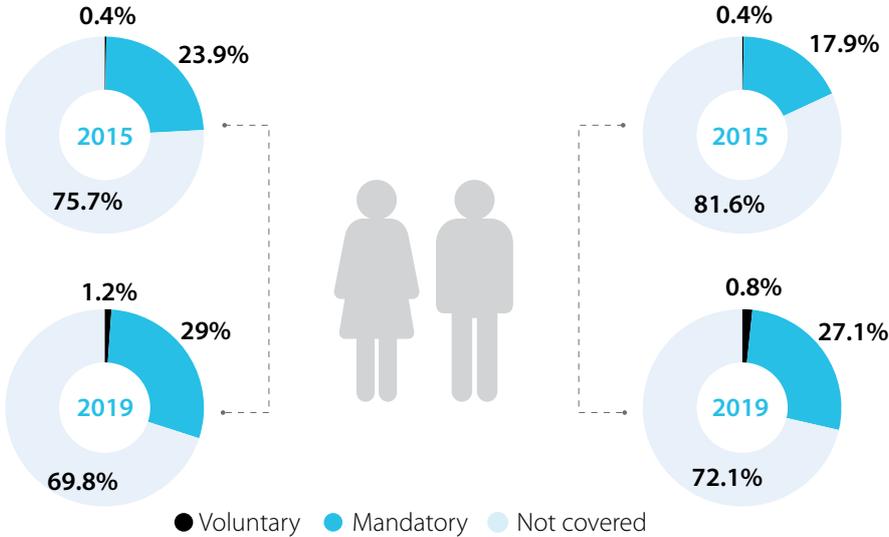
612 Olivier, M. 2020. *Viet Nam social protection law reform: An integrated framework*. Hanoi: ILO.

613 Ramírez López, B and Arza, C. 2021.op.cit.

generally embedded into the legislative framework. In fact, within the social security system, policymakers need to consider that rules based on difference could provide compensation for pre-existing inequalities.

**Gender impacts of the social insurance system.** In the context of the complexities of gender inequality in the labour market and in social and family relations, 'gender-neutral' rules cannot guarantee adequate social insurance for women.

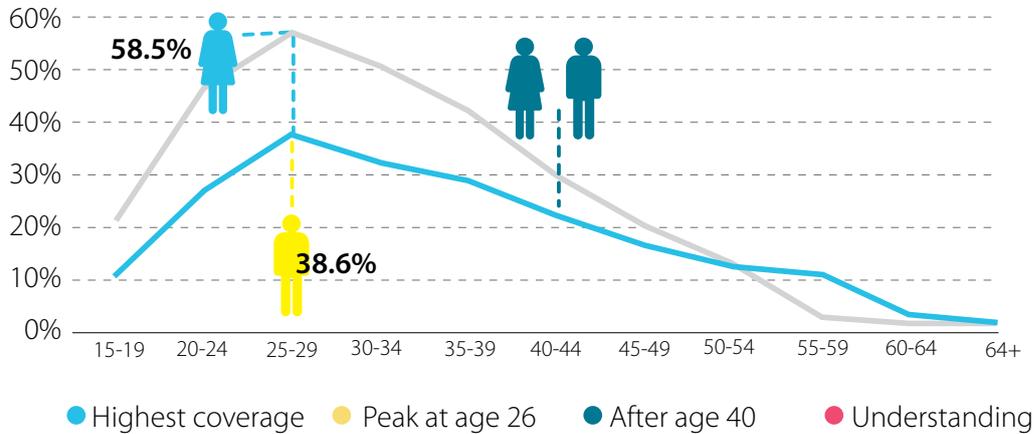
FIGURE 64: SOCIAL INSURANCE COVERAGE, BY GENDER, 2015-2019



Source: Ramírez López, B and Arza, C. 2021. ILO

Effective social insurance coverage is low in Viet Nam. In 2019, only 31.3 per cent of women and 22.1 per cent of men were covered. For both women and men, coverage rates peak early, at age 26. This is a singular pattern that indicates that many workers have access to the social insurance system early on in their careers, only to drop out later. Women, in particular, seem to drop out at a faster rate than men in particular at the earlier stages of their careers, often coinciding with periods following childbirth.

FIGURE 65: SOCIAL INSURANCE COVERAGE AS PERCENTAGE OF LABOUR FORCE, BY AGE AND GENDER, 2019<sup>614</sup>



Source: Ramírez López, B and Arza, C. 2021. ILO

614 Ramírez López, B and Arza, C. 2021. *Adapting social insurance to women's life courses: A gender impact assessment of Viet Nam*. Hanoi: ILO.

Coverage has remained low partly because of the limited capacity of the voluntary system to incorporate non-wage earners – who make up 81 per cent of the total informal employment in the case of women. Considering current contribution rates, many informal workers would fall into poverty or relative poverty if they joined voluntary insurance. This is likely to affect women more than men, given their lower average earnings. The fact that the voluntary system does not include short-term benefits like sickness or maternity, may make voluntary affiliation even less appealing, particularly for women. Therefore, the expansion of tax-funded benefits (including old-age pensions and parental allowances) is the key to close coverage gaps.

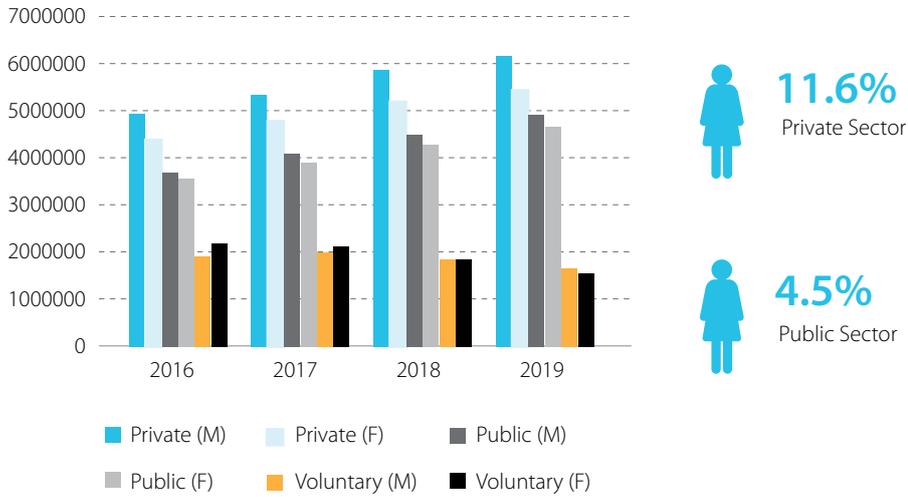
**Old-age pensions.** When it comes to receiving old-age pensions, women have lower access and lower benefits (in monetary terms) than men. Data on the average contributory history of insured workers

shows that women and men both have low contributory records. But women's contributory histories are, on average, four years shorter than those of men. That is a fifth of the total 20 years required to qualify for a social insurance pension.

Low contribution records have an impact on both coverage and benefit amounts, since benefits are calculated taking into account the years of direct contributions. Earnings-related benefits, as used in the Vietnamese system, tend to reproduce wage differentials between women and men and can penalize women for their shorter work careers and lower earnings.

In 2019, for women working in the private sector, insurable earnings were lower than for men by 11.6 per cent. In the public sector, the difference is less pronounced at 4.5 per cent in the same year. It is particularly concerning to note that the gap has been increasing over the past five years.

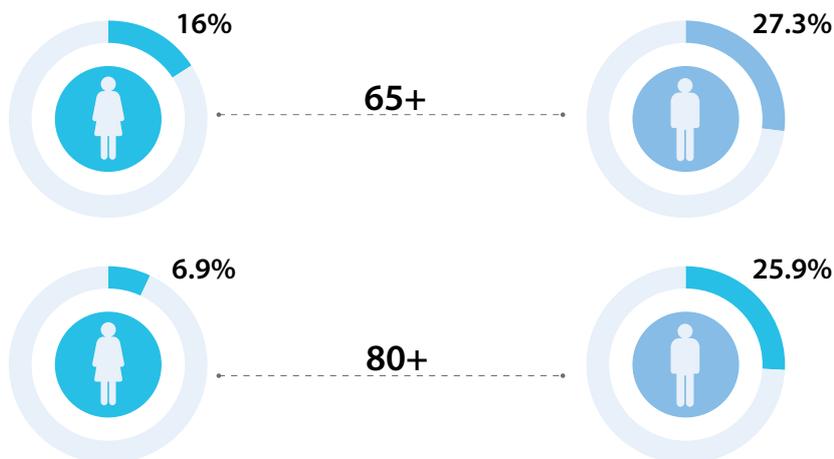
FIGURE 66: INSURABLE EARNINGS, BY GENDER, 2019



Source: Ramírez López, B and Arza, C. 2021. ILO

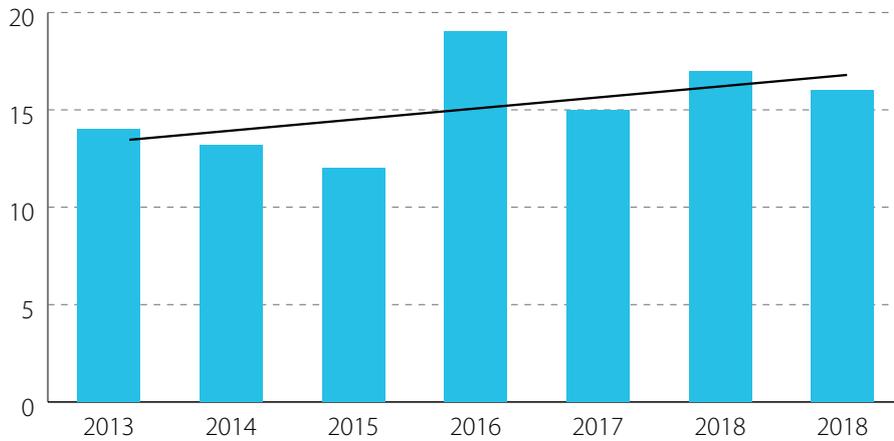
The gender gap in coverage is large: 16 per cent of women aged 65 and over receive a social insurance pension, compared to 27.3 per cent of men. At older ages, the gap is even larger: only 6.9 per cent of women aged 80 and over receive a pension compared to 25.9 per cent of men.

FIGURE 67: GENDER GAP IN SOCIAL INSURANCE PENSION, AT 65+ AND 80+ YEARS



Source: Ramírez López, B and Arza, C. 2021. ILO

FIGURE 68: GENDER GAP IN PENSION VALUE, 2013-2019



Old age pensions currently in payment (2019)	Gender gap in pension benefits
Pensions financed from the social insurance fund	18.6%
Mandatory insurance (public and private)	18.4%
Voluntary insurance	-5.4%
Pensions financed from the state budget (pre-95 pensions)	28.3%
<b>Total VSS old age pensions</b>	<b>19.8%</b>

Source: Ramírez López, B and Arza, C. 2021. ILO

The gender gap remains when looking at new benefits paid between 2016 and 2019. Over that period, men received 60 per cent of all new pensions paid.<sup>615</sup>

In 2019, the value of men’s pensions was higher than that of women by an average of 19.8 per cent. The gender gap was even higher for pre-1995 old age pensions financed by the State, at a remarkable 28.3 per cent. That is for all pensions currently in payment so there could be a cohort effect reflecting the wider wage gap in older generations. However, if we look at the value of benefits over the past 5 years, the gap actually seems to be widening.

Earnings-related pension systems like the social insurance system in Viet Nam tend to produce gender gaps in benefits because of a gender gap in earnings – if earnings are

higher for men, their pensions will be higher too. Higher accrual rates for women, as applied in the Vietnamese system, are meant to compensate for this inequality. However, the data shows this policy is insufficient to fully bridge the gap.

**Maternity leave.** The main weakness of the parental system in Viet Nam is low coverage and the focus on women and maternity. On the former issue, only workers in the compulsory social insurance system have access to maternity benefits. In 2019, this meant just 30 per cent of women in the labour force had access to maternity protection. Considering that not all women are in the labour force, the effective level of protection is even lower. Unlike in the case of pensions, where a (still narrow) non-contributory benefit exists, there is no tax-financed support for maternity.

615 ILO. (2020). *Technical note on new parametric reform scenarios for pensions*. Hanoi: ILO.

Lack of maternity protection affects not only women's earnings and work trajectories, but also the wellbeing of mothers and children and of the family at large. Extending coverage is the principal urgent challenge for the maternity system from both a gender-equity and a socio-economic equality perspective, particularly because the expansion of maternity protection is likely to benefit women from lower income backgrounds.

A second challenge of the maternity system, from a gender-equality perspective, is that it focuses almost exclusively on mothers. The maternity scheme offers mothers six months of paid leave equal to 100 per cent of the average salary over the previous half year. In an employment contract, men only have five days paternity leave for childbirth, supporting their already very limited role in childcare. In a modern design oriented to encourage equality in the distribution of unpaid care between men and women, the system could start moving away from this 'maternalistic' approach towards a model of parental leave available to both mothers and fathers.

**Sickness benefits.** The main limitation of the sick leave system is the same as the maternity system: low coverage. In 2019, it is estimated that 30 per cent of women and 21.3 per cent of men in the labour force were covered. In Viet Nam, this means that the socioeconomic consequences of getting sick can have considerable impact on the work and earnings trajectories of uninsured workers. Women qualify for considerably fewer sickness benefits than men, at least in the private sector. Overall, women receive 36.2 per cent of all sickness benefits paid.<sup>616</sup> The underlying reasons for this requires further research.

Legal challenges also exist. Differences in the length of sickness leave based on the length

of a persons' contributory career can generate gender inequality given the shorter paid work careers that women tend to have, compared to men. Finally, while the *Social Insurance Law* establishes that insured women and men have an equal right to sick leave days if their child is ill, the Labour Code restricts this leave to female workers only, reinforcing gender norms.<sup>617</sup>

**Non-contributory benefits.** Because of women's manifest difficulty in accessing social insurance benefits, tax-funded programmes are more important for them. However, by design, social assistance programmes in Viet Nam have relatively small target populations, and low overall coverage.<sup>618</sup> For example, a means -tested social pension is paid to all persons over age 80 who do not qualify for a contributory pension. Approximately 13 per cent of men and 18 per cent of women over 80 years received this benefit in 2019. The value of the social pension is equal for men and women at VND 270,000 (or USD 11.6) per month. This is far below the minimum adequate pension levels established by ILO Conventions No.102 and No. 128.<sup>619</sup> Nonetheless, the low payment has a greater impact on women, with their longer life expectancies and greater vulnerability, for example, as widows.<sup>620</sup> As a consequence, poverty rates are consistently higher among elderly women than men.<sup>621</sup>

617 *Labour Code* 2019, Article 141.

618 Targeted cash support is available for certain groups of children, persons with disabilities, single parents, persons living with HIV/AIDS and older persons. Overall, only around 10 per cent of the population is covered.

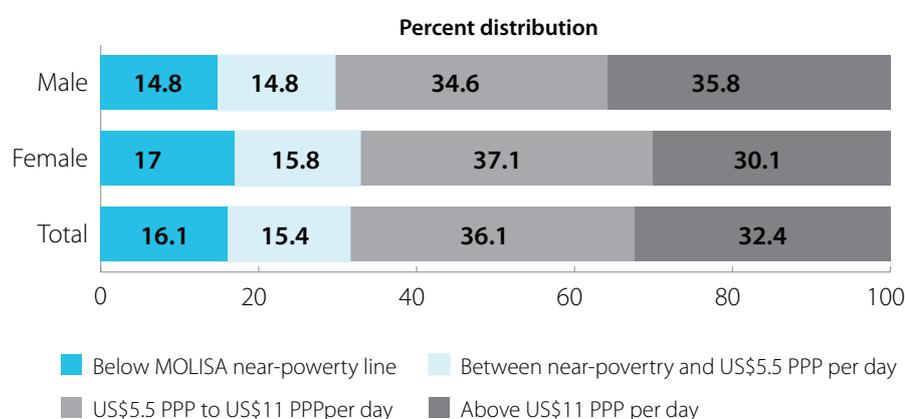
619 The two Conventions set minimum replacement rates for tax-financed pension levels at 40 per cent and 45 per cent, respectively, of the prevailing wage of a male manual labourer. If applied to the Vietnamese private sector minimum wage of 2019 as a measure of minimum living standards, an adequate social pension would range – on average – from VND 850,000 to VND 965,000 per month, varying by region up to VND 1,150,000 per month in the major cities ILO. 2019. *Assessing the Adequacy of Tax-financed Social Protection in Viet Nam*, Ha Noi: ILO.

620 ILO. 2019. *Potential impacts of social pensions in Viet Nam*. Hanoi: ILO.

621 *Ibid.*

616 Ramírez López, B. and Arza, C. 2021. "Adapting social insurance to women's life courses: A gender impact assessment of Viet Nam". *op.cit.*

FIGURE 69: LEVEL OF PER CAPITA INCOME FOR PERSONS AGED 65 AND ABOVE, BY GENDER (%)



Source: ILO. Potential impacts of social pensions in Viet Nam. 2019.

Moreover, due to women’s higher life expectancy, the lack of a mechanism to index the value of benefit affects them more. The ILO estimates that since the transfer amount was set in 2013, its real value has decreased by 38 per cent.<sup>622</sup> Establishing an indexation mechanism for tax-funded benefits is crucial to preserve their value relative to the cost of living or general earning levels over time.

Tax-funded schemes, especially universal pensions, are the most effective way – at least in the short-term, to provide protection to women and men who did not have the opportunity to build sufficient entitlements in the contributory system. Such non-contributory programmes can play a role in ensuring women’s access to a basic pension. Simulations show that the expansion of the social pension is likely to benefit women most, as they are most likely to lack contributory pensions. It is estimated that around 65 per cent of the recipients would be women.

Moreover, an expanded social pension could have progressive distributional impacts across gender and income groups: the relative increase in per capita incomes resulting from a social pension is higher among women and the poorest, than among men and the rich members of society<sup>623</sup>

**Health care benefits (Social health insurance).** Viet Nam has made rapid progress in its expansion of universal health coverage, with 90.85 per cent of the population covered by the public health insurance scheme in 2020.<sup>624</sup> Men and women account for 48.6 and women 51.4 per cent of the total membership, respectively. While coverage for women and men is certainly high, existing data suggests that there are gender gaps and inequalities in the coverage and utilization of benefits. The Social Health Insurance (SHI) scheme is yet to achieve universal population coverage, and a 10 per cent population gap remains. Early estimates suggest that those who lack cover

622 ILO. 2019. Assessing the Adequacy of Tax-financed Social Protection in Viet Nam, Hanoi: ILO

623 ILO. 2019. Potential impacts of social pensions in Viet Nam. op.cit.

624 VSS presentation at VCCH-ILO consultation workshop on Health Insurance policies, 19<sup>th</sup> January 2021

are essentially people without employment or working in informal employment. As indicated above, women are over-represented in this group.

SHI health services utilization rates by women at all levels are persistently higher than those of men, and particularly high at district level (58.5 per cent for women versus 41.5 per cent for men). This utilization of health care services by women is expected – given the unique needs of women in reproductive health and health care seeking tendencies, and particularly at district level, which delivers most maternal and child health services. However, utilization decreases with the level of health care services. In other words, the higher the level of services, the fewer female patients. Given that the level of services is related to the quality and availability of specialized services, this may reveal that men tend to seek better quality health care services. This is supported by the finding that, while men use health care services less, they also incur a higher proportion of out-of-pocket payment (55 per cent of the total), confirming that men are willing to pay more to get better quality services. The direct implication for women is that the current poor delivery, capacity and quality of care at district and commune level will substantially affect women's rights and access to quality health care.

The SHI benefits package - considered generous and comprehensive - also has some limitations that particularly affect women. Firstly, family planning and abortion services, except in cases where the termination of a pregnancy is due to foetal or maternal diseases, are excluded from the benefit package. While family planning used to be free of charge and fully financed by the Government, this is no longer the case, and individuals, usually women, have to bear the full costs. This is a major limit of the benefit

package in addressing women's health care needs. In addition, nutritional supplements used in the treatment of malnourished infants and children are also excluded, creating a greater financial and care burden for women who are the principal child caregivers.

All women who are currently not participating in the social insurance system are vulnerable to poverty following any significant life change, including pregnancy and maternity. Amongst those, elderly women are the most vulnerable. Aging is a gender-specific issue in Viet Nam. The majority of older people are women, with the proportion increasing as people age: in 2020, women made up 60 per cent of all people aged 65 and above, and 70 per cent of those age 80 and above.<sup>625</sup> Yet, women are the least able to access social insurance pensions due to their lower levels of employment in the formal economy. Furthermore, older women are much more insecure than older men: over 53 per cent of women aged 65 years and above are single or widowed compared to only 17.4 per cent of men, and the proportion rises with age.<sup>626</sup>

Today, globally, women already dedicate more of their time to unpaid care than men: it is estimated that 14.5 per cent of women, compared to 5.5 per cent of men, are out of the labour force as a result of family care responsibility.<sup>627</sup> As more and more people live into their eighties, elderly care demands will grow, and women are likely to bear most of this burden. This will increase pressure on their time, further limiting their ability to participate in the labour force and earn an income. Thus, old age protection is a key element shaping women's welfare and gender equality in the years to come.

625 UNDESA. (2017). *World Population Prospects*. New York: UNDESA.

626 ILO. 2019. *op.cit.*

627 ILO. 2018. *op.cit.*

**Barriers to progress.** In social insurance systems that link benefits to past employment and earnings, benefits tend to reflect the accumulation of disadvantages that women face in the labour market and at home. There are four main aspects of women's life courses that influence their experience with social insurance systems in terms of coverage and benefits:

- 1. Labour force participation:** The gender division of labour in Viet Nam means women assume most of the family care burden in the home. This influences women's choices and engagement in paid work, their occupations, opportunities for promotion, and the earnings they receive.
- 2. Earnings:** Women also tend to have lower earnings, on average, than men. Social insurance systems normally calculate benefits as a percentage of past earnings; consequently, lower earnings mean lower benefits for women unless adequate mechanisms are in place to compensate for labour market disadvantages.
- 3. Longevity:** Women have a higher life expectancy than men. This is particularly important for retirement and survivors' systems, since longevity means that women spend a longer period in retirement than men and thus are dependent on an adequate pension and good health protection.
- 4. Maternity and care:** While both women and men have children, it is women who bear the health risks associated with pregnancy and childbirth, as well as most of the labour market risks associated with having a child. These risks and burdens go well beyond pregnancy and the paid maternity leave period, and this unpaid work is often not considered in the

benefits of work-related social insurance systems.

While labour market imbalances require larger social policy interventions, governments can do more to ensure that social protection schemes, specifically old age pensions, are designed, implemented and monitored, taking into account the different experiences of men and women. Two design features are particularly relevant for gendered outcomes:

- 1. Coverage:** The types of risks that are covered and the conditions for eligibility to benefits can either provide women with equal protections as men or punish them for their work and care trajectories. A first feature of coverage is the type of risks covered: the lack of family benefits in the Vietnamese system, for example, particularly affects women. A second feature refers to the target population, and the question of who is eligible and under what conditions. This includes consideration of what types of employment and occupations are included in mandatory coverage, and how many years of work are required to be eligible for a benefit.
- 2. Benefit calculation:** The way in which benefits are calculated is crucial to determine the level of protection that women receive and thus it drives the gender gap in the amount of the benefit. Key features of the benefit calculation rules from a gender perspective are the reference salary, the replacement rates, the treatment given to periods of care or care-related leave, the application of minimum and maximum benefit thresholds, and the rules for benefit indexation.

## Recommendations.

Alongside labour market and other reforms, the social security system can be an important vehicle for addressing gender-based inequalities in the labour market and in households, which, in turn, are frequently refracted through the social security system in the form of unequal benefits (particularly in earnings-based systems). Specific provisions for the recognition of the periods of time dedicated to unpaid care, are particularly important for the adequate social security coverage of women.

The Ministry of Labour-Invalids and Social Affairs (MOLISA) is scheduled to submit a revised *Social Insurance Law* to the National Assembly in 2022. This would be an excellent opportunity to promote measures to enhance gender equality in the design and implementation of the various branches of the system,<sup>628</sup> with a particular focus on:

- **Rights-based social protection floors:** In countries with large informal economies, contributory schemes are not sufficient to ensure social protection for all. In Viet Nam, building a social protection floor<sup>629</sup> requires overcoming the existing shortcomings of the non-contributory system, including low coverage, low benefit amounts and the lack of a proper legal framework.<sup>630</sup> Following the lessons of the extension of universal health insurance through tax financed health insurance, non-contributory pensions are particularly relevant for women, who not only make up the bulk of the uninsured but are also more vulnerable in old age. An adequate social pension should be (i) established by law, specifying the range, qualifying

conditions, levels of benefits and source of funding; (ii) aligned with relevant labour market and social insurance policies, such as the National Retirement Age; and, (iii) universal or pension-tapered.

- **Extending social insurance coverage to informal workers:** The variety of work and income situations that coexist in the informal economy demand multiple coverage expansion strategies. For reasons discussed elsewhere, voluntary insurance is unlikely to achieve a meaningful expansion of coverage, particularly of the most vulnerable.<sup>631</sup> Enforcing compliance among wage-earners is important, but mostly, policy-makers should consider the incorporation of other groups of workers under mandatory coverage. The subsidized health protection system can offer valuable lessons in this respect. Especially important for the protection of women would be the extension of coverage to domestic workers, rural workers and family contributing workers, all of which make up a large share of informal female employment.
- **Adapting the qualifying conditions of pensions to women's life courses:** In Viet Nam, the current minimum requirement of 20 years of contributions may be difficult to meet for most women. This requirement should be lowered to better reflect the working trajectories of women and in general, all informally employed workers, male and female. In a multi-tiered pension system, those workers with few years of contributions could also combine these credits with a non-contributory pension.

628 Ramírez López, B. and Arza, C. 2021. op.cit.

629 ILO Social Protection Floors Recommendation No.102, 2012.

630 Olivier, M. 2021. *Viet Nam Social Security Law Reform: An Integrated Framework*. Hanoi: ILO.

631 McClanahan, S., Gelders, B. and Ramírez López, B. 2019. *A focus in families: A short-term benefit package for the extension of multi-tiered social security coverage in Vietnam*. Hanoi: ILO.

- **Benefit adequacy:** Adequate benefit indexation is important to maintain living standards and prevent poverty over the retirement period. Since women spend longer periods in retirement, they are more exposed to the risk of benefit depreciation. The ILO has laid out several options for the indexation of non-contributory and contributory pensions.<sup>632</sup> It is important that the Government's reforms in each area are aligned with one another to avoid widening socio-economic inequalities.
  - **Child pension credits for women:** The differentiated retirement ages and accrual rates of the Vietnamese system have not been entirely successful at compensating for gender inequalities. The introduction of child pension credits into the system could build on existing efforts to enhance the economic protection of women in old age. Recent ILO estimates show that a child credit of 18 months could increase women's social insurance pensions by 8.3 per cent, bringing about a virtual elimination of the gender gap in the pensions of private sector workers. This measure could also benefit 1.7 million uninsured women in 2020, who would receive a higher value social pension.<sup>633</sup>
  - **Broader access to parental protection:** From a gender equality perspective, it is crucial to expand maternity protection to women outside the social insurance regime. The ILO has proposed the extension of maternity benefits as part of a multi-tiered benefit package that also includes child benefit. The cost of this universal benefit is estimated at less than 0.04 per cent of GDP in 2020, declining to 0.02 per cent of GDP in 2030.<sup>634</sup> Such a strategy would incorporate a large proportion of women, including the most vulnerable women working in the informal economy, protecting them and their new-born babies, for half or less than half the cost of the current maternity system that benefits only a smaller number of women. Promoting paid paternal leave is particularly crucial to promote shared responsibility for family care duties in the home, giving men the opportunity to play a greater role in childcare.
  - **Closing the gaps in social health insurance:** taking the opportunity of the revision of the *Social Health Insurance Law* in 2021, the benefit package should be modified to better respond to women's needs. In parallel, it is crucial to both ensure the extension of coverage to the missing ten percent, and guarantee quality health care at community and district level.
  - **Regularly monitor gender disparities in the system:** it is vital to set-up mechanisms to regularly monitor gender disparities, including the production and analysis of sex-disaggregated data to evaluate social insurance outcomes. When reforming the contributory regime, measures should consider the specific risks and vulnerabilities of women.
- Beyond these specific social insurance design features, gender equality in socio-economic protection and wellbeing requires policies that go beyond social insurance and offer an integrated response to the multiple needs and risks faced by women over the life course. This includes not only gender-sensitive health and social insurance systems, but also labour market policies, high quality public services and policies to better reconcile work and care, including public child-care systems.

632 Ibid.

633 Ibid.

634 Ibid.



# CHAPTER 9. EQUALITY IN A DEVELOPING VIET NAM

## 9.1 URBAN DEVELOPMENT



Context. Although Viet Nam has a primarily rural population, urban areas are expanding. In 2019, the urban population accounted for 34.4 per cent of the total population. Between 2009 and 2019 the annual population growth in urban areas was 2.64 per cent, nearly six times the annual growth in rural areas. Economic transformations that are shifting jobs out of agriculture and into services and industry are causing more women and men to seek work in the city. Women constitute a larger proportion of Viet Nam's urban population: urban areas have 96.5 males for every 100 females compared to 100.1 males for every 100 females in rural areas.<sup>635</sup>

Viet Nam's urban areas are growing in tandem with efforts to shift the economy away from dependence on agricultural production to developing the service and industry sectors. Having household members leave the farm to work in the city leaves fewer people dependent on small farms for their subsistence thus reducing rural poverty. The fact that many urban migrants also send earnings to their rural household diversifies income sources for farming families.<sup>636</sup>

A net reduction in poverty from urban migration is only possible when those arriving in the city are able to access decent employment and can find adequate affordable housing. However, keeping pace with the growing demand for adequate housing, water, sanitation, transport and other services is challenging Viet Nam's cities, in particular small and medium cities that are growing the fastest (cities such as Dong Thap, Hai Duong, Yen

635 Government of Viet Nam. Central Population and Housing Census Steering Committee of Statistics. 2019. *The Viet Nam Population and Housing Census: Implementation Organisation and Preliminary Results*. Hanoi.

636 OECD. 2018. *Urban Policy Reviews: Viet Nam*. Paris: OECD.

Bai).<sup>637</sup> Urbanization brings socio-economic changes that have both a positive and negative impact on the lives of women and men. However, due to their multiple roles, urban women have different needs than men with respect to the accessibility, affordability and safety of municipal services to facilitate their access to employment, childcare, elder care and household management tasks. However, in many countries, including Viet Nam, urban development is considered to be 'gender neutral' so that women's specific needs are neither considered nor integrated into the planning process.

Legal Framework. Viet Nam has committed to Sustainable Development Goal 11 to make cities and human settlements inclusive, safe, resilient and sustainable.<sup>638</sup> Viet Nam has enacted urban planning policies to define this path with the main guidelines being the *Master Plan to Develop Viet Nam's Urban System until 2025 with a Vision to 2050 (National Urban Master Plan)*. This urban master plan classifies urban areas and sets out urban planning frameworks according to their density and size. This planning approach facilitates greater autonomy in decision making for major cities. It also promotes the emergence of secondary and tertiary cities as hubs that drive province-level development. However, the master plans framework tends to focus on broad guidelines for spatial and infrastructure planning rather than how to meet the needs of the residents. Consequently, national guidance on participatory consultations, mainstreaming gender and improving accessibility for people with disabilities and other diverse residents in urban planning is

637 Government of Viet Nam. Ministry of Construction and UN Habitat. 2020. *National Report for the United Nations Conference on Housing and Sustainable Urban Development (Habitat III)*. Hanoi: UN Habitat.

638 Government of Viet Nam. Ministry of Planning and Investment (MPI). 2018. *Viet Nam's Voluntary National Review on the Implementation of the Sustainable Development Goals*. Hanoi: MPI.



notably absent. Thus, the level of participation and consideration of gender inclusion and accommodation for people with disabilities can vary widely across jurisdictions.

Other sector-based guidelines have been developed to address Viet Nam's urban development challenges. The *Law on Housing (2015)* and the *National Strategy for Housing Development until 2020 and Vision to 2030* aim to increase the quality and affordability of housing as cities grow. These policies set the framework to reform key areas such as improving standards for self-built housing, promoting private sector participation in residential development, and increasing access to affordable rental housing, especially for workers in industrial zones. Viet Nam has also prepared the *Transport Development Strategy to 2020 and Vision to 2030* that articulates the way forward in the development of sustainable public transport systems<sup>639</sup>. These policies have set the parameters for improved access to housing, urban services, transport and other facilities for the country's growing number of city residents. However, the policy documents do not mention gender or include elements that consider the specific housing, transport or spatial planning needs of women.

Despite its strength in promoting diversity in urban areas and identifying sector-based priorities, Viet Nam's planning structure is based on the principles of a centrally planned economy. Responsibilities for urban planning are divided across different ministries and levels of government with few mechanisms for coordination. The planning emphasizes detailed approaches to land-use zoning, infrastructure development and economic development planning through industrial parks and provides limited guidance on the role of residents and the private sector in developing and using urban spaces, and the

provision and location of public services<sup>640</sup>. For example, policies on industrial zone development (*Decree 82/2018/ND-CP on Management of Industrial parks and economic zones*) do not require employers to integrate housing and other services for urban workers. While Decree 82 has been updated in 2018 to allow for industrial parks to include urban housing and services, the majority of the country's industrial zones do not have such facilities and workers are forced to live in inadequate rental housing on the periphery of industrial parks. As women are a majority (54 per cent) of those employed in manufacturing, they are particularly affected by the poor living conditions around industrial parks.<sup>641</sup>

The master plans produced by cities under the country's urban planning regime centre around describing the urban infrastructure to be developed on public lands to achieve socio-economic goals. Urban master plans combine sector-based plans from key ministries such as Ministry of Planning and Investment for economic development, Ministry of Construction for infrastructure, Ministry of Natural Resources and Environment for land zoning and the Ministry of Sport, Culture and Tourism for tourism development as well as other sectors.<sup>642</sup> For example, in the recent Danang City Master Planning, emphasis is on proposing large infrastructure projects and servicing new economic and industrial zones and tourism. There is no reference made to either gender, disability, or inclusion issues. Housing for every citizen is mentioned but without assigning any priority for housing development according to different socio-economic levels and abilities. Poverty is only mentioned in the plan in terms of having 'no poor households' without considering the

639 Ibid.

640 OECD. 2018. *Urban Policy Reviews: Viet Nam*. Paris: OECD.

641 Government of Viet Nam. General Statistics Office (GSO). 2018. *Labor Force Statistics Quarter 1 2018*. Hanoi: GSO.

642 Ibid.

support and services that are needed to lead to this outcome.<sup>643</sup>

This traditional planning framework creates limitations in terms of integrating gender perspectives into urban development. Urban planning is approached as a set of technical problems and solutions. Processes to identify and reconcile the gender-differentiated use of urban space are not integrated. For example, due to women's limited access to resources and their socially ascribed gender roles which require the reconciliation of employment, child care and management of household tasks, clearly women have different needs with respect to urban space and services than men.<sup>644</sup> For instance, Viet Nam's urban master plans promote large infrastructure with a separation of work and living spaces in different zones. Women have a greater need for urban plans that consider the facilitation of their daily routines. Women are more likely to make frequent, short stops throughout the day to complete their combined work and household functions compared to men who are more likely to have longer commutes at the start and end of day. However, urban public transport systems and schedules are more likely to be designed around the traditional male commuting pattern. The limited use of participatory consultative processes to guide urban planning limits the extent to which gender-based considerations are integrated into urban development.

Viet Nam has a policy of household registration (*hộ khẩu*) where new arrivals to the city become temporary residents, creating limitations in their access to public services such as schools, health insurance, and basic procedures like registering a motorcycle. According to a World Bank study (2016) on Viet

Nam's household registration system,<sup>645</sup> close to 5.6 million people have only temporary resident status in their place of residence, including 36 per cent of the population of Ho Chi Minh City and 18 per cent of the population of the Hanoi. Women constitute at least half of the temporary residents, but this may be even higher given their higher level of employment in manufacturing, a key sector of the economy drawing temporary residents to urban areas.

The *hộ khẩu* policy has a gender differentiated impact. Due to women's principal responsibility for childcare and domestic work, women typically assume the task of navigating the bureaucracy to enrol their children in school or access health services for the family. This role risks exposing women migrants to corruption and additional costs to establish their family in a new area. A gap in lower secondary enrollment for temporary as compared to permanent residents is greater for girls. This difference may indicate that temporary resident status parents are willing to make greater efforts to overcome *hộ khẩu* barriers for male children. Moreover, women who are temporary residents interested in starting a business, in order to balance home and livelihood obligations, face barriers in accessing credit and formalizing their business.<sup>646</sup> Filling employment opportunities in Viet Nam's growing manufacturing industrial zones could increase women's labor force participation and access to resources. However, reforming *hộ khẩu* to create conditions that are more conducive to establishing their family in urban areas is fundamental to women's well-being and economic empowerment.

643 City of Danang, Department of Planning and Investment. 2020. *Adjusted master plan for socio-economic development of Da Nang City to 2020 with a vision to 2030*. Danang: MPI.

644 World Bank. 2020. *Handbook for Gender Inclusive Urban Planning and Design*. Washington: World Bank.

645 World Bank Group and Vietnam Academy of Social Sciences. 2016. *Vietnam's Household Registration System*. Hanoi.

646 Ibid.

## Urban planning and development

**Due to their under-representation in political decision-making, women are less represented in forums at national, and provincial/city levels where urban planning decisions are made.** Despite being half the population, in the 2021-2026 term, women account for less than a third of the members of the National Assembly (30.26 per cent). While levels have increased for the 2021-2026 term, women's representation in provincial, district and commune/ward-level People's Councils is uniformly low, ranging from 22-29 per cent.<sup>647</sup>

The nature of the urban planning regime also leaves little flexibility for residents' participation further limiting how women's perspectives might shape and define urban planning priorities. The needs and problems associated with urban planning do not analyze or propose solutions at district, ward and neighborhood levels. It is precisely at these levels that women are more likely to participate in decisions, yet urban planning is not geared towards resident participation. Lower administrative levels under city management are not required to prepare an urban plan for their jurisdiction and often officials at this level lack the capacity for participatory urban design.<sup>648</sup>

Consequently, there is no requirement and no mechanism for women to articulate their needs regarding the quality, affordability, accessibility and safety of urban services, safe public spaces, green spaces and areas for children's play, and culture. This is particularly the case for low-income women living in dense informal settlements that are not covered by administrative structures for consultation in decentralized planning.

647 Based on data from the 2021 elections.

648 Government of Viet Nam. Ministry of Construction and UN Habitat. 2020. *National Report for the United Nation Conference on Housing and Sustainable Urban Development (Habitat III)*. Hanoi: UN Habitat.

Informal settlements also have limited social networks to promote participatory decision-making due to a high turnover of residents.

**Due to their under-representation in construction and urban planning professions, women's perspectives are less integrated into urban planning infrastructure development.** Women tend to be underrepresented in professional, technical and managerial jobs related to urban planning. While nationwide sex-disaggregated data on the civil service is not publicly available, information gathered from three provinces (Ha Tinh, Lao Cai and Thua Thien Hue) showed that women constituted only 22 to 37 per cent of the staff of the Department of Planning and Investment and less than 25 per cent of staff in departments responsible for urban construction.<sup>649</sup> A breakdown of administrative versus technical staff was not available. Across government and the private sector, women hold only 28 per cent of the positions categorized as 'leaders, managers and administrators'. In addition, women are underrepresented in areas of the construction sector, such as engineering, that influence urban planning decisions. Only 10 per cent of positions in construction are held by women.<sup>650</sup>

Despite having similar levels of education as men, women are less likely to enter Technical and Vocational Education and Training (TVET) programs to obtain qualifications in fields such as construction and water and sanitation engineering. A gender assessment of the sectors in Viet Nam found that teachers and counsellors tend to uphold traditional gender stereotypes with respect to professions that are appropriate for male and female students,

649 Data gathered from interviews with provincial officials September 2020.

650 Government of Viet Nam. General Statistics Office (GSO). 2018. *Labor Force Statistics Quarter 1 2018*. Hanoi: GSO.

for example associating men with jobs like construction that require physical labor and women with traditional roles such as cooking or the caring professions. As a result, teachers and counselors are not likely to encourage women and girls to pursue traditionally male-dominated fields.<sup>651</sup>

This lack of technical qualifications limits women's access to the growing opportunities in urban construction, water supply and sanitation and other infrastructure sectors that are expanding to keep pace with urban expansion. This skill gap not only limits women's access to higher paying employment opportunities but also perpetuates the stereotype of urban planning and construction as male domains. Consequently, at a time of major transformation in Viet Nam's cities, women's perspectives on how urban spaces and infrastructure are used and navigated are seriously underrepresented.

**Viet Nam's rate of low-density urban expansion is creating challenges to building sustainable, gender responsive cities.** Viet Nam's *National Urban Master Plan* identified that the demand for urban land is expected to increase by at least 30 per cent from 2015 to 2050 to meet the expected growth in the urban population nationwide from 35 million to 52 million. Viet Nam's urban planning framework creates incentives for local administrations to expand urban areas to upgrade to a category of city that has increased access to resources and autonomy of decision-making. This results in incentives to convert agricultural land to accommodate low-density residential developments and industrial parks.<sup>652</sup>

Low-density urban sprawl necessitates greater infrastructure investment in wide roads and highways that create distances between services that people need for everyday life. This type of development favours male patterns of urban use such as travelling back and forth from home to paid employment. The focus on low-density single use development rather than multi-purpose spaces on small urban street grids overlooks women's needs to complete multiple daily tasks for domestic, childcare and paid work.<sup>653</sup> For example, few industrial zones create spaces for childcare services where women workers can more easily drop children at schools or nurseries. These areas require long commuting times between single use zones leading women to spend even more hours on unpaid care work.<sup>654</sup>

To accommodate growth, Viet Nam's major cities are converting agricultural land for residential or industrial zone development at an accelerating rate. This has had a major impact on traditional agrarian households, in particular female household members. While farmers receive compensation and training to adapt to new employment and living conditions after land conversion, finding quality employment in industrial zones is challenging for those without higher-level technical qualifications. Land conversion creates specific challenges for women. Women are more likely to depend on farming land and home-based enterprises that are disrupted by urban development land conversion. Furthermore, women are less likely to be named on land use certificates for either residential or agricultural land, and therefore are less likely to be recognised as being eligible for compensation and training programs to adapt to employment

651 ADB. 2017. *Gender Assessment of Technical and Vocational Education and Training (TVET) and School-to-Work Transition in Viet Nam*. Hanoi: ADB.

652 OECD. 2018. *Urban Policy Reviews: Viet Nam*. Paris: OECD.

653 World Bank. 2020. op.cit.

654 World Bank. 2019. *Project Appraisal Document: Viet Nam Dynamic Cities Integrated Development Project*. Washington: World Bank.

opportunities in industry or services.<sup>655</sup> Developing gender-responsive programs for rural and peri-urban residents affected by land conversion is essential to ensure that women benefit equally from higher incomes and improved living conditions arising from urbanisation.

### **Urban planning decisions pay little attention to how the built environments influence women's safety and sense of security.**

How the built environment is developed – including its buildings, streets and public spaces like parks and plazas, transportation systems, and land use patterns - can influence the physical and mental health and public safety, of all residents. However, factors in the built environment can contribute or detract from creating a sense of security for women and girls. Similarly, safe, accessible streets and public spaces facilitate or undermine the mobility and security of women and men with disabilities.

One study by ActionAid on women's safety in cities identified that over half of urban women respondents felt unsafe on crowded buses and at bus stops.<sup>656</sup> Another study by Plan International highlighted safety risks perceived by adolescent girls in Hanoi. Close to half of the girls surveyed (49 per cent) said they never (15.6 per cent), seldom (9.6 per cent) or sometimes (24.1 per cent) felt safe in public spaces.<sup>657</sup> Other factors in the built environment also undermined the sense of security of women and girls. A UN Women study undertaking focus group discussions on sexual harassment in public spaces in Ho Chi Minh City found qualitative evidence that sexual harassment on buses, other modes of

public transportation, as well as in swimming pools, public toilets, universities, schools, and other facilities was common, to the point of being normalized due to its frequency.<sup>658</sup> As seen from Figure 70, lack of or poor lighting and few other people on the street contribute to women's feelings of insecurity in urban areas. Viet Nam's city centers have traditionally emphasised well-lit streets, small shops and high pedestrian traffic. Integrating these factors into plans for new urban areas and secondary cities is a priority to promote women's sense of security.

People with disabilities, in particular women, have limited access to employment places and urban services in that they are not designed with accessibility in mind.<sup>659</sup> Designing spaces for those with physical disabilities also facilitates mobility for seniors and for mothers using prams for young children. Viet Nam has developed urban design standards to promote mobility. However, a lack of resources and the failure of construction companies to follow the required standards mean that many accessibility requirements are not met. An analysis of public places audited in Hanoi, Ho Chi Minh, Danang, Can Tho, Vung Tau, and Dalat found that less than 1 per cent offered full accessibility.<sup>660</sup>

655 Also see section on Land in this report. Duong, Mai TT. et al. 2020. "Land Conversion for Tourism Development under Viet Nam's Ambiguous Property Rights over Land." *Land* 9(6),204.

656 ActionAid. 2017. op.cit.

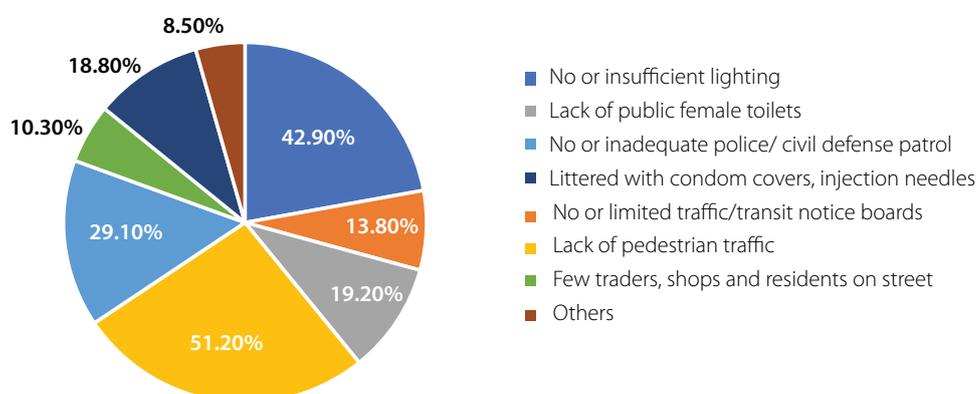
657 Plan International. 2017. *Adolescent Girls' Views on Safety in Cities - Findings from the Because I am a Girl: Urban Programme Study in Cairo, Delhi, Hanoi, Kampala and Lima*. Surrey, UK: Plan International.

658 UN Women. 2017. *Safe Cities and Safe Public Spaces: Global Results Report*. New York: UN Women.

659 D. Map is a crowd-sourced, google-maps inspired application for people to register whether public infrastructure and sites across Viet Nam are accessible or not. Launched by local NGO Disability Research and Capacity Development (DRD) and Hoa Sen University, with support of UNDP, it now lists over 18,174 sites by 1338 users.

660 Ibid.

FIGURE 70: FACTORS INFLUENCING WOMEN'S SENSE OF SECURITY IN URBAN ENVIRONMENTS



Source: ActionAid. 2017. *Policy Brief for a Safe City for Women and Girls*.

**Way forward.** Gender-responsive urban planning and public transport approaches and techniques need to be assessed and built into polices, guidelines and decision-making so that they are prioritized as part of the planned investment in major cities and secondary towns. With such measures in place, urban master plans could provide the way forward to create gender-sensitive, safe, green, and modern urban centres.

As major cities and secondary towns expand, government planners need to ensure that investment is targeted towards infrastructure and other measures that are gender responsive. Options include: investing in women and child-friendly urban spaces, including recreational spaces, planning and providing adequate street lighting, bus stops and public spaces, offering separate male and female toilet facilities, especially in urban areas and along highways, and provide accessibility for prams and wheelchairs. Having female staff in key public service positions, including non-traditional fields such as transit drivers,

can contribute to creating women-friendly city spaces.

## Housing

**The lack of quality affordable housing is a particular challenge for lower income urban residents, especially for women, youth and people with disabilities.** To keep pace with urban growth, Viet Nam has been improving the supply and quality of housing. The average housing area per capita has increased from 16.7 m<sup>2</sup> in 2009 to 23.4 m<sup>2</sup> in 2017. The proportion of households with simple, semi-permanent houses decreased from 9.2 per cent in 2014 to 7.8 per cent in 2016.<sup>661</sup> Despite this progress, the rate of semi-permanent housing in urban areas is estimated to be much higher with official statistics not always capturing the number of people living in high-density informal settlements. Some estimates reveal that two thirds of Ho Chi Minh City's population are

661 Government of Viet Nam. Ministry of Construction and UN Habitat. 2020. *op.cit.*

living in semi-permanent housing.<sup>662</sup>

Viet Nam's housing market is characterized by high-end housing developments and self-built construction that is not accessible to the majority of urban residents without access to capital and land. The demand for affordable housing is surpassing the available supply in major cities and many affordable housing projects have stalled due to a lack of capital.<sup>663</sup> Small and medium cities are also struggling to provide adequate housing with nearby services to accommodate workers moving near industrial and manufacturing centers. Many households, especially those of the retired and elderly, live in older apartment complexes built by the government more than 40 years ago and transferred to residents who have difficulty investing in building maintenance.<sup>664</sup>

Due to their responsibility for unpaid care work, women spend more time in the home and are more exposed to the discomforts, as well as health and safety risks of inadequate housing. Women's tasks to maintain the home – cooking, cleaning, and maintaining family health and hygiene – are more difficult and time-consuming in crowded spaces that lack adequate water, sanitation and other utilities. Women on average earn less than men and thus households headed by women tend to spend a higher proportion of income on rent. As a result, women are more disadvantaged by rising rents in urban areas.

Migrants, including those from ethnic minority groups coming to the city to work, are especially faced with poor housing options. A study of migrants' conditions found that

housing was their main cause of dissatisfaction arising from their decision to move. Although data was not sex-disaggregated, close to one third of respondents reported that housing conditions had deteriorated with migration due to having to find accommodation in areas with poor access to infrastructure, electricity, and state-provided services such as public transport. Over 50 per cent of migrants identified living in cramped and unhygienic temporary housing or at work sites as the principal source of dissatisfaction. Female migrants were particularly affected by a lack of privacy and exposure to risks of gender-based violence, including harassment, in their living environment.<sup>665</sup>

Viet Nam's housing policies have also not addressed the specific needs for housing for women and men with disabilities. As a result, they are dependent on relatives for housing in physical spaces that are not able to accommodate their needs.

**Way forward.** These pressures on housing will continue as Viet Nam's economy continues to draw workers to industrial and manufacturing centers. From a gender lens, developing affordable housing is a critical urban development priority. Gender-responsive urban planning requires placing greater priority on developing housing options for diverse population and income groups, including for housing that caters to workers (accompanied, or not) who have moved to the expanding economic and industrial zones.

More investments and private sector financial incentives are needed to fill gaps in Viet Nam's affordable housing segment. Such programs need to be developed through consultation and the analysis of the needs of women, youth and people with disabilities in urban areas, in particular those located near industrial

662 Truong, HT. et al. *Housing and transportation In Viet Nam's Ho Chi Minh City: Social city. Case studies in social urban development*. Hanoi: Friedrich-Ebert-Stiftung.

663 Seo, D. and Kwon, YS. 2017. "In-Migration and Housing Choice in Ho Chi Minh City: Toward Sustainable Housing Development in Viet Nam." *Sustainability* 9(10): 1738.

664 World Bank. 2015. *Viet Nam Affordable Housing: A Way Forward*. Washington: World Bank.

665 UNESCO, UNDP, IOM and UN-Habitat. 2017. *Overview of Internal Migration in Viet Nam*. Hanoi: UNDP.

zones which attract rural migrants. The demand, therefore, is for mixed use residential developments with gender-responsive social housing programs and access to employment, childcare, transport and other services on which women depend.

### **Mobility and Inclusive Public Transit**

#### **Due to their under-representation in transport planning professions, women's perspectives are not considered in the design of roads and transport systems.**

Women in Viet Nam are more likely to use public transport, motorbikes, walk or cycle than men, and they are less likely to use cars. Women are also more likely to make multiple stops when in transit to carry out their childcare, household tasks along with reaching their place of employment. Despite these differences, transport planning is generally considered 'gender-neutral'. Urban transport development based on developing wide, non-pedestrian roads rather than medium- and small-scale street networks limit the available connectivity options for public transport and means of travel other than cars. This leads to increased car use that adds to pollution and to greater travel time in order to undertake the daily tasks that women are more likely to perform. For example, highways that separate neighborhoods can reduce commuting time for car users, who are more likely to be men, but add to the travel time for women to complete the multiple short trips to schools, grocery stores, health centers and other stops that their combined paid and unpaid work entails.<sup>666</sup> Meaningful consultation with women on their mobility patterns and transport needs would provide better information to design the road, transition and spatial planning that meets the needs of all residents.

<sup>666</sup> ADB and UN Women. 2019. *Gender Responsive Budgeting in Viet Nam: Gender Equality in Transport*. Hanoi: UN Women.

#### **Investments in large road systems in Viet Nam are not accompanied by equivalent investments in public transport to ensure that women can make use of the roads that are constructed.**

Expansive urban spaces create more challenges for designing efficient public transport systems. An analysis of factors contributing to sustainable cities identified that only 56 per cent of Ho Chi Minh residents have access to public transport. In addition, where public transit exists, the distance between neighborhoods and public transport stops is long, with an average of a kilometre walk to reach a transit stop.<sup>667</sup>

Despite Viet Nam's commitments to ensuring the rights of women and men with disabilities, including the right to mobility, accessibility is not systematically integrated into public transport investment and the requirements for private transport services to serve people with disabilities are not addressed.<sup>668</sup> Inadequate urban public transport limits mobility for women, lower income earners and people with disabilities who depend on these services to access employment and services. Gender-responsive and inclusive transport systems must be developed to guarantee equitable access to transport in order to distribute work, economic, social and political opportunities equally among women and men regardless of their ability and/or income levels.

**Way forward.** Viet Nam plans to invest in environmentally sustainable growth in cities. Having an effective urban transit system is essential to growth, but it needs to occur without an increase in emissions. Giving high priority to public transport in urban planning investments benefits women, in that they are more likely to depend on public transit for their mobility. Ensuring access to

<sup>667</sup> Hsu, A. et al. 2020. *The Urban Environment and Social Inclusion Index*. New Haven, CT: Yale University.

<sup>668</sup> ADB and UN Women. 2019. op.cit.

## Ho Chi Minh City is taking policy actions to prevent violence against women and girls in the public transport system

There is clear recognition globally and nationally in Viet Nam of the need to reduce women's experience of gender-based violence in public transportation services; that gender-based violence in public places negatively influences women's mobility and economic empowerment opportunities; and that gender-based violence can reduce the use of public transportation not only by women, but also by children and the elderly. In Viet Nam as in many other countries, women are at greater risk of violence than men from strangers on public transportation and walking to and from transportation. Vietnam has signed several international instruments and commitments to eliminate violence against women and successfully incorporated many of these international obligations into the domestic legal system.

However, to support successful policy implementation, the need to reduce the risks of GBV and sexual harassment in public spaces remains. A scoping study and baseline survey conducted by Ho Chi Minh City's Department of Labour-Invalids and Social Affairs (DoLISA) in 2017, with technical support from UN Women, found that transport-related areas, including buses, bus stops, and bus interchanges were among the top-three most unsafe public spaces for women and girls in terms of risks and the prevalence of sexual harassment. Female respondents reported that they experienced verbal and physical forms of sexual harassment while riding a bus, while bus drivers and conductors found sexual harassment to be prevalent on buses. There is a clear need to improve the public transport services offered to men and women by increasing women's experience of personal safety.

The Ho Chi Minh City Department of Transport (DoT) is collaborating with various partners, including the World Bank, to prevent gender-based violence and sexual harassment in public transport. This is guided by Decision No. 1464-TTg (2016) of the Prime Minister on the Implementation of Safe and Friendly Cities for Women and Girls to ensure safety in public spaces. DoT is collaborating with DoLISA and UN Women on a pilot 'Safe Cities Program' (2017–2021) to promote the safety of women and girls while studying, working, travelling and living in the city area. The City conducted a safe transport awareness raising campaign with prevention activities designed for schools, communities and the media. By 2020, the City Department of Transport had renovated two bus routes (no. 43 and 93) with 43 buses and over 50 bus shelters painted in orange with messages on zero tolerance for gender-based violence; and audio messages were broadcast on buses (UN Women 2021).

The City Department of Transport also prepared and disseminated a Code of Conduct for bus drivers, conductors and passengers. It also provided training and a handbook for bus drivers, conductors, public servants and other employees on identifying and responding to gender-based violence on public transport. All buses were equipped with GPS devices, and cameras were installed on 2,300 buses. The City Department of Transport established an arrangement and hotline number (0981860202) with the Criminal Police and Transport Inspection to handle violations of laws in buses and bus stops. The Control Center monitors operations and crime, including sexual harassment on buses, for timely action and to provide the police with evidence.

In 2019, the Ho Chi Minh Municipality received the first in a series of development policy lending from the World Bank. Policies supported under the loan included *inter alia* procurement policies that establish competitive tendering for multi-year contracts on selected bus routes. Contract provisions for bus operation will require operators to strengthen service quality standards, including the prevention of sexual harassment and provision of training to drivers and conductors on sexual harassment and personal safety issues. Mandatory training of drivers and conductors would result in a reduced risk of sexual harassment for girls and women, thus making them feel safer when taking the bus. As such, Ho Chi Minh City has set a good example for other municipalities for practical policy measures for securing public transportation systems that promotes the personal safety of its users.

UN Women. 2021. *Gender Responsive Budgeting with an Aim at Developing Safe Cities for Women and Girls. Ho Chi Minh's City's Initiatives in Public Passenger Transport Services Delivery*. Hanoi: UN Women.

Author: World Bank

more convenient public transit services and schedules throughout the day and evening will benefit women through reduced travel time to undertake both paid and unpaid tasks. Training transport officials to design gender-sensitive and accessible transit strategies into master plans will ensure that urban spaces are effectively designed for pedestrian safety, accessibility for people with disabilities and ease of access to transit over dominance of single passenger vehicles.

### **Water Supply and Sanitation Infrastructure and Services**

**The improved rates of access to a clean water supply and sanitation benefits women.** With a population of 97.4 million, Viet Nam's access to improved water supplies increased from 65 per cent in the year 2000 to 95 per cent in 2017, while access to basic sanitation jumped from 52 to 84 per cent during the same period. Household hygiene, sanitation, access to a clean water supply and the associated impact on family health are spheres of responsibility that are generally assigned to women. Women benefit from urban development that prioritises the quality of water supply, sanitation infrastructure and services. Viet Nam has accelerated urban water supply and infrastructure development in its five major cities with 96 per cent of households in HCMC and Hanoi connected to piped water systems and over 80 per cent connected to sanitation systems.<sup>669</sup> Overall, the rate of household access to a clean water supply reached 99.6 per cent for urban households. The percentage of households using adequate sanitation (septic tanks and semi-septic tanks) was 88.9 per cent, an increase of nearly 35 percentage points

669 World Bank. 2019. *Project Appraisal Document: Viet Nam Dynamic Cities Integrated Development Project*. Washington: World Bank.

compared to 2009.<sup>670</sup>

**Low-income women are more affected by reduced access to a quality water supply and sanitation services.** Despite the increased rates of water and sanitation access, the fast pace of urban growth often overwhelms urban infrastructure in Viet Nam's cities and towns. The quality of services delivered by water and supply infrastructure becomes a challenge as the systems strive to keep pace as urban areas grow in both population density and land area. The rate of connection and quality of services in small and medium cities is a particular challenge, especially since the number of medium-sized cities (population density of 10,000/ 50 m<sup>2</sup> or less) has doubled between 2012 and 2020.

Access rates for clean water supply in medium-sized cities ranges from only 50 to 70 per cent and sanitation connection rates are as low as 15 per cent. Only 7.6 per cent of all cities have appropriate wastewater collection and treatment systems. Small and medium cities have less budget autonomy than the five major urban centers and depend on provincial planning decisions to access resources for meeting expanding needs for urban infrastructure such as water and sanitation.<sup>671</sup> As areas increase in population density and transform from rural to urban, traditional water sources become less available or unhygienic while a new water supply and sanitation infrastructure takes time to plan and construct. The zoning of new urban areas that allows water supply and sanitation projects to move forward often lags behind the settlement of areas by rural migrants moving to cities and towns to find work. Research on urban poverty

670 UNFPA. 2020. "Press Release: Results of the Viet Nam Population and Housing Census 2019". Accessed October 2020. <https://vietnam.unfpa.org/en/news/results-population-and-housing-census-2019>

671 World Bank. 2019. op.cit.

in East Asia, including Viet Nam, has found that the majority of the urban poor live in medium and small towns and lacked access to basic infrastructure and services.<sup>672</sup>

Due to gender norms, ensuring the family has water for consumption and cleaning are 'feminised' tasks. The time and expenditure devoted to accessing clean water until a water supply and sanitation infrastructure is built is a responsibility that most often falls to women. Women performed the task of collecting water in 69 per cent of Viet Nam's urban households without access to safe drinking water on the premises compared with 22 per cent of households where men performed this task, and 9 per cent where the task is shared.<sup>673</sup> The drudgery related to the lack of safe tap water particularly affects women from poorer households. Lack of sanitation and hygienic conditions also compromises women's health and that of the children and the elderly under their care. Furthermore, it impacts on women's ability to manage their menstrual hygiene privately and with dignity. Under the pandemic conditions of 2020, the necessity of scrupulous hygiene only intensified the burdens on women who lack access to WSS. The gender differences in time use, as well as the associated health and economic opportunity costs of water collection and treatment in Viet Nam, have not yet been officially quantified.<sup>674</sup> However, an ActionAid study (2016) of 5,670 women and men and their time use found that women spent 60 minutes on water collection per day.<sup>675</sup> This kind of data would assist holistic WSS planning in urban development.

Ensuring that small and medium cities have access to resources for water supply and sanitation to keep pace with urban growth is a key priority to improve family health, and critical to reducing this unpaid and typically invisible workload performed by women. Investments in water supply and sanitation infrastructure also has the potential to contribute to transforming gender relations. Qualitative research has found that the convenience created by having piped water supply systems make it more likely for men to assume household tasks such as cooking and cleaning creating a more equitable gender division of household labour.<sup>676</sup> The time and labour savings, and redistribution of tasks, through upgraded urban water and sanitation also leaves women with more time for other activities – whether economic, public, civic or private.

### **Promoting women's participation in water supply and sanitation planning contributes to gender equality and women's empowerment.**

Research in Viet Nam's Central Provinces on participatory approaches to water and sanitation infrastructure development revealed that involving women in infrastructure development services and operation and maintenance contributes to their empowerment. Holding separate sessions with women increased the likelihood of women sharing their observations on water and sanitation needs and priorities. Women found the experience of influencing planning decisions empowering and increased the likelihood of women participating in other local development forums.<sup>677</sup>

Qualitative research shows that women gain confidence from involvement in technical training that allows them to better understand

672 Baker, J.L. and Gadgil, G.U. 2017. *East Asia and Pacific Cities: Expanding Opportunities for the Urban Poor*. Washington: World Bank.

673 General Statistics Office and UNICEF. 2015. *Viet Nam Multiple Indicator Cluster Survey 2014 – Final Report*. Hanoi: GSO.

674 UN Women. 2016. *Towards Gender Equality in Viet Nam: Making Inclusive Growth Work for Women*. Hanoi: UN Women.

675 ActionAid. 2016. op.cit

676 Leahy, C. et al. Transforming gender relations through water, sanitation, and hygiene programming and monitoring in Viet Nam. *Gender & Development* 25(2): 283-301.

677 Ibid.

water and sanitation issues and participate in operation and maintenance. After training, women were more likely to take a role in the construction and maintenance of public water systems, creating a shared responsibility between women and men for communal public works, a positive change in gender relations which empowered women.<sup>678</sup>

**Way forward.** Both financial resources and capacity building are needed to support medium and small cities to combat the water supply and sanitation challenges that frequently disadvantage women and people with disabilities and mainstream gender equality and social inclusion to enhance the benefits of these interventions. Training is needed to support officials to understand how participatory planning and gender mainstreaming will assist them in achieving their national and local water policies, improve their human resource capacity, better serve consumers, and contribute to the sustainability of their water and sanitation systems. Increasing women's knowledge on water and sanitation would strengthen their representation in the WSS sector. This training could target women leaders in communities where new WSS infrastructure is planned. Training the existing female personnel on water utilities, allowing them to progress toward management or build skills that would allow them to move towards higher paying technical positions, would also likely increase women's representation in the sector.

In synergy with education sector investment, more analysis needs to be undertaken of the challenges to find qualified women in non-traditional fields such as urban planning, transport and water and sanitation. Introducing training courses or internships with vocational training colleges in different

parts of the country could be a means to increase the number of qualified women in urban planning and construction related fields to provide women with higher paid employment opportunities as well as enhance the extent to which women's perspectives are integrated into urban development.

## Urban climate resilience

**Urban residents face multiple climate hazards including floods, storms, and high temperatures with gender-differentiated impacts.** However, women are less likely to be involved in urban disaster risk management. As buildings and roads replace green spaces and trees, problems of drainage and heat stress are increasing in severity. Viet Nam's urban population largely resides in flat coastal areas that are exposed to heavy monsoon rains. As natural wetlands that absorb water are covered with hard surfaces, flooding increases. Most cities have combined sewerage-drainage systems that dispose of the wastewater generated by growing numbers of households. The lack of regular solid waste collection means that drains are often blocked causing drainage back-ups that include wastewater.<sup>679</sup> The poor, many of whom live in inadequate shelters in lowland areas, are among the most vulnerable. A study found that poor people living in informal settlements in Ho Chi Minh City are 10 to 20 per cent more exposed to floods compared to the rest of the city and this exposure is projected to increase with climate change.<sup>680</sup>

Urban floods increase the risk of waterborne diseases that impact on women's health, while also impacting that of children and elderly relatives for whom they provide care. Women are the ones responsible for building daily resilience to the impact of

<sup>679</sup> Government of Viet Nam. Ministry of Construction and UN Habitat. 2020. op.cit.

<sup>680</sup> Bangalore, Mook et al. 2017. *Exposure to Floods, Climate Change, and Poverty in Viet Nam*. Washington: World Bank.

<sup>678</sup> Ibid.

flooding by ensuring access to food and water, maintaining hygiene and cleaning up after flooding. Because women are less likely to own cars, they are also less able to navigate flooded streets. Urban drainage system failures increase the risk of women losing days of employment for both regular seasonal and climate change induced flooding. If schools are closed or inaccessible, it typically falls to women to stay at home with children. This was borne out by the experience of COVID-19 in 2020, when schools were closed for 15 weeks after the Tet holiday, and women were expected to assume primary responsibility for managing childcare and home schooling.

Women are less likely to be selected for local disaster preparedness training programs although their greater responsibility for unpaid domestic and care work means they are more likely to be in their homes when disasters occur. Disaster management plans often reinforce stereotypical roles such as assigning women to unpaid tasks for neighborhood clean-up, irrespective of their existing workloads or men's potential to contribute. Training is provided mainly to members of disaster risk management committees formed of local officials or to formal household heads who are mainly men. Some progress has been made in 2013 when the Viet Nam Women's Union became a member of the Central Committee for Natural Disaster Prevention and Control.<sup>681</sup> However, a study by the Viet Nam Women's Union found that their representatives were invited on to the Committee for Disaster Prevention and Control in only 29 per cent provinces, 44 per cent of districts and 51 per cent of communes.<sup>682</sup>

Urban women have access to television and mobile phone forecasts, but often early warnings are not localized to specific neighborhoods. Despite their responsibility for daily tasks that enhance climate resilience, women have limited influence in deciding priorities for disaster risk management planning formulated by local authorities who are, once again, mostly male. As a result, women's primary concerns, such as improving the level of neighborhood hygiene and sanitation, are less likely to be prioritised in preparedness plans.

**Way forward.** Challenging gender-based conceptions of disaster risk management capacity and responsibility is essential to promoting equality as well as enhancing urban climate change resilience. A high priority is to increase the number of women represented in disaster risk management decision-making by challenging existing stereotypical gender-based conceptions such as women being less suited to leading evacuations or undertaking search and rescue. Ensuring that the Viet Nam Women's Union representation in Committee for Disaster Prevention and Control is effectively implemented at all levels is a key first step to improving gender equality mainstreaming in the disaster risk management system.

## Recommendations

- **Develop guidelines on climate resilient and gender-sensitive urban planning.** The Ministry of Construction could revise its policies on urban development and master plans to promote a more integrated approach which provides residents with a greater opportunity for input. A first step could include developing guidelines on climate resilient, gender-responsive urban master planning covering key areas including spatial

681 United Nations. 2016. *Gender Briefing Kit*. Hanoi: UN.

682 VUFO-NGO Resource Center. 2017. *Policy Brief: Gender Equality in Climate Change Adaptation and Disaster Resilience in Viet Nam*. Hanoi.

planning, housing, public transport and pedestrian access. The process could include undertaking inclusive and participatory urban assessments of some target secondary cities to identify priorities and generate concepts for universal and gender-responsive design guidelines adapted to small and medium cities in Viet Nam. The assessments would gather information to profile urban gender issues as well as matters related to accessibility, ethnicity, social inclusion, vulnerability and climate resilience. The information would further inform the development of existing guidelines to transform urban master planning from an infrastructure-oriented planning approach to one that is based on understanding and meeting the needs and aspirations of diverse residents. The guidelines would establish the framework and create pathways for small and medium cities to become more gender-sensitive, safe, green and resilient.

- **Increase women’s access to training opportunities to participate more fully in urban development and the water and sanitation fields.**

Increasing women’s knowledge on urban planning, construction and water and sanitation is essential to strengthening their representation in all facets of urban development. An increase in accessible sex-disaggregated data is needed to analyze gender differences in educational and career pathways to determine the extent of the gap in women’s representation in different degree and TVET programs for urban development professions and technical fields. With better information, education campaigns for the university and TVET sector could be developed to encourage more women, including ethnic minority women, to enter non-traditional fields

such as civil engineering, transport, water and sanitation engineering, construction and other technical fields. Offering more training opportunities to existing female personnel of urban departments, transport services, water utilities and other urban services would support a greater number of women to progress toward decision-making roles or higher paying technical positions.

- **Increase capacity of government city planners to integrate gender-responsive design measures into urban master plans.**

Approaches to developing inclusive, resilient and safe cities need to be integral to the training and education of urban planners. At the international level, the urban planning field has progressively developed approaches and lessons on universal design to accommodate people with disabilities, mainstream gender, and promote more inclusive cities. Universal design promotes participatory approaches to consulting women, people with disabilities and other groups on how to develop cities and neighborhoods to meet current and future needs of all residents, including how to adapt to climate change impacts. Fostering increased collaboration between universities with urban planning programs in Viet Nam and international counterparts, the government could create more training and education opportunities for government staff in municipal and provincial urban planning departments. Training initiatives could also target the Viet Nam Women’s Union and associations representing people with disabilities, ethnic minorities and other groups to study universal gender-responsive approaches. This capacity development could also include strengthening approaches for climate resilient urban

planning.

- **Continue to invest in closing the gap in water supply and sanitation in medium and small cities.** Closing the gap in access to water supply and sanitation for residents in small and medium cities in Viet Nam is a high priority area of intervention to advance gender equality. The COVID-19 pandemic has further underlined the importance of reducing women's unpaid care workload by putting in place improved water and sanitation infrastructure. Water and sanitation systems are also key to reducing the impact of flooding on women's health and time burden. The government should continue to prioritize access to piped water, and improved drainage and waste management facilities for all urban and peri-urban areas to enhance gender equality and women's empowerment. These efforts may include reviewing the ways in which budgets are allocated to small and medium cities to ensure that sufficient resources are available to invest in these basic services as their populations expand.

## 9.2 AGRICULTURE AND RURAL DEVELOPMENT



Context. With 65 per cent of the population living in rural areas, the agricultural, forestry and fishery sector remains vital to the country's economy and Sustainable Development Goals, representing 15 per cent of the country's GDP in 2019.<sup>683</sup> The agricultural sector is being restructured to shift away from low value and subsistence agriculture towards more knowledge-based agricultural technology, mechanization and value-added processing to produce and export high-standard food products. In parallel, promoting job creation in the industry and service sectors is expected to continue to absorb the workforce leaving the agricultural sector as it becomes less labour-intensive. Agricultural land is being increasingly transformed into industrial and services zones.

Viet Nam's approach to building a more competitive agricultural sector and creating higher paying industry and services jobs is contributing to raising average incomes and reducing poverty levels. However, major economic transformations affect women and men and various ethnic groups differently. Women, in particular those from ethnic minority groups, are more dependent for their livelihoods on small-scale, labor intensive, subsistence agriculture that is becoming less competitive as the agricultural sector transforms to higher value, technology-driven commodity development. Ensuring that rural and ethnic minority women upgrade their skills and access the capital to invest in agricultural commercialization is essential to ensure that they improve their socio-economic position rather than become increasingly

<sup>683</sup> General Statistics Office (GSO). 2019. *Statistical Data: National Accounts*. Hanoi: GSO.



vulnerable to poverty as the sector transforms.<sup>684</sup>

Legal Framework. The *Strategy for the Development of Agriculture and Rural Areas to 2020 with a vision to 2030* is the government's overarching plan for the development of the agricultural sector. This plan lays the foundations for transforming agriculture into a strategic export sector. The development targets include maintaining agricultural GDP growth through an increase in value-added processing and agribusiness. The methods involve promoting specialized agricultural zones and establishing agro-industry service clusters with modern infrastructure, transforming agriculture and the rural sector to meet market demand for high-quality products, improving food hygiene and safety and developing the rural service industry in order to absorb rural labour. The Strategy is 'gender-neutral' and does not mention any gender-specific issues, nor set specific targets in relation to gender equality in the sector.<sup>685</sup>

To achieve the transformations set out in the Strategy, the *Agriculture Restructuring Program* (ARP) was approved in 2013 and was updated with a revised action plan for the 2017-2020 period under Prime Minister Decision No. 1819/2017.<sup>686</sup> The ARP guided the government's agricultural development programs, while also incorporating the concept of "Climate Smart Agriculture" for improved economic growth, mitigation, and resilience.<sup>687</sup> In February 2021, the Prime Minister issued Decree 255/QD-TTg which

approved the ARP for the period 2021-25. The specific objectives of the current ARP include: averaging a growth rate in the agricultural sector of between 2.5 to 3 per cent per year, and of labor productivity at 7 to 8 per cent per year; achieving a 30 per cent increase in the value of agricultural, forestry and fishery products produced by cooperatives and associations, and a 25 per cent increase in those produced by good or equivalent production processes, and a 20 per cent increase in the value of those applying high technology; increasing the land allocated for organic production by between 1.5 to 2 per cent. The ARP also sets targets to reduce the proportion of labourers that depend on agriculture for their livelihoods by 25 per cent; to increase the coverage of trained agricultural labourers to over 55 per cent; and to increase the incomes of rural residents by at least 1.5 times, as compared to 2020.

The targets set out in the *Strategy for the Development of Agriculture and Rural Areas* and the ARP contain elements such as training more skilled workers in the sector, which have the potential to improve women's earnings. The emphasis on developing niche agriculture value chains based on competitive advantages in local areas could strengthen support for agricultural commodities where women are more likely to be engaged such as vegetable production. Strengthening resilience through transferring knowledge for Climate Smart Agriculture could also have an impact on reducing women's workload by introducing more efficient production techniques and water-saving devices.

Despite these potential benefits, the Strategy and ARP remain 'gender-neutral'. Gender issues such as disparities in income between rural women and men, a gender division of labour that leads to female time poverty, the targeting of new technologies to men,

684 Inclusive Finance Platform. 2019. *Financial services for women Agri-finance products for female farmers in Vietnam: A Case Study*. Hanoi.

685 IFAD. 2019. *Viet Nam Country Strategic Opportunities Programme*. Rome: IFAD.

686 Government of Viet Nam. November 2017. *Approval of the Agriculture Restructuring Program* (Prime Minister Decision No. 1819).

687 IFAD, 2019. op. cit. Climate-smart agriculture (CSA) is an integrated approach to managing landscapes—cropland, livestock, forests and fisheries—that address the interlinked challenges of food security and accelerating climate change

the concentration of rural women's labour in unpaid family work, and the lower return on their activities in value chains are not addressed. Failing to have 'gender-responsive' agricultural strategies results in a missed opportunity to promote the ways that agricultural restructuring and transformation can accelerate women's economic empowerment in the sector upon which they depend most for their livelihoods. The emphasis on defining value chains of local importance, risks overlooking the commodities that are important to women who are often not represented in local forums and whose contribution to agriculture often remains invisible. Moreover, without a gender lens, the Strategy emphasizes technologies to enhance productivity, yet fails to address time-saving strategies that are an important element of reducing productive and domestic labor costs that are disproportionately borne by women. In essence, the Strategy may unintentionally deepen the gender divide and inequality. Ultimately, the lack of explicit targets relating to women or equitable access to opportunities generated by the Strategy and ARP lead to a lack of accountability.

**Ministry of Agriculture and Rural Development (MARD) Gender Action Plan.** As prescribed by the government's *National Strategy for Gender Equality 2011 - 2020* and NCFAW's directive to ministries, MARD has developed a *Gender Action Plan* (GAP 2016 - 2020). MARD's GAP outlines its overall direction to reduce the gender gap and enhance the status of women in agriculture and rural development. Six specific objectives and targets are set, encompassing rural women's labour and employment, women's training and education, health care, managerial and leadership positions, response to gender-based violence, and increasing staff capacity building in gender mainstreaming equality. A key element of the GAP was to

ensure that rural women labourers receive vocational training, which entailed the ambitious target to train as many as 50 per cent of rural women<sup>688</sup>. However, only one target in the GAP, regarding women's labour and employment in agriculture, is designed to support women farmers.<sup>689</sup> The other targets focus on women in the private or public sector workforce in agriculture, with an emphasis on women in leadership. The GAP references the issue of unpaid care work, but solely in terms of training agricultural staff on this issue. However, there were no specific measures proposed to address the gender dynamics in rural households to improve the situation of women's unpaid contribution to family farms and unpaid care work. Also, while the GAP identifies some of the key priorities for addressing gender equality in the agricultural sector, the plan does not make provision for revising existing policies and programs to ensure that gender considerations are fully integrated. As a result, it is not clear what mechanisms are in place to ensure that the GAP targets are considered in the roll-out of other policy and programs.<sup>690</sup>

**National Nutrition Strategy (NNS) 2011–2020.** The government has put in place a *National Nutrition Strategy (NNS) 2011–2020 with a vision toward 2030* which was published in February 2012) that underlines the links between food security and nutrition. This strategy has a component specifically designed for household food and nutrition

688 This is in line with Target 3 under Objective 2 of the National Strategy for Gender Equality 2011-2020 – that the proportion of rural women workers under 45 years old who undergo professional and technical training will reach 25 per cent by 2015, and 50 per cent by 2020. According to MOLISA reports, an estimated 59 per cent of rural women were trained. Age-disaggregated data was not available, nor details and results of the training. See MOLISA. *Review Report on Implementation of the National Strategy on Gender Equality (NSGE) 2011-2020. (forthcoming)*

689 FAO (Food and Agriculture Association). 2019. *Country Gender Assessment of Agriculture and the Rural Sector in Viet Nam*. Hanoi: FAO.

690 Ibid.

security with an emphasis on reaching ethnic minority and poor households. This Strategy identifies women and children as primary beneficiaries of the interventions and emphasizes the important role of women in food security and family nutrition. However, while the Strategy identifies interventions targeting women, it does not address gender equality. In fact, it specifically relies upon and risks adding to women's unpaid care workload. Women's needs are analyzed in relation to their traditional role as being responsible for the household food supply and cooking. Interventions do not seek to transform the gender division of labour, especially in the family, through action such as ensuring the greater involvement of fathers in childcare and family nutrition.<sup>691</sup>

**National Target Program on New Rural Development (NTP-NRD).** The New Rural Development Program (NTP-NRD) was first established in June 2010 (Prime Minister Decision No. 800). The goal of the NTP-NRD was to address growing urban rural disparities and promote the economic, cultural, environmental, social and public security in the development of rural communes. The NTP-NRD sets targets that define the concept of the 'new rural commune', and an objective that 50 per cent of rural communes achieve this status by 2020. The first phase from 2011-2015 focused on rural infrastructure but was revised in phase two to include a mix of soft and hard interventions to promote commune development. The Program emphasizes alignment with the goals of the *Agriculture Restructuring Program (ARP)*, such as strengthening niche local value chains to be more competitive.<sup>692</sup>

Gender equality was considered one of the 'solutions' for improving living standards in rural areas under the NTP-NRD. Despite

<sup>691</sup> Ibid.

<sup>692</sup> IFAD, 2019. op.cit.

this, a UN Women review of the NTP-NRD (2020) found that gender equality is not fully integrated into the program indicators in order for communes to become a new rural area.<sup>693</sup> One of the 49 commune targets under the 19-point commune criteria of the NTP-NRD calls for, 'ensuring gender equality and domestic violence prevention and control; protecting and supporting vulnerable people in the sphere of family and social life'. The addition is important for prioritising local services and support for domestic violence. However, the target identifies women in terms of their vulnerability rather than their strengths and contribution to the agricultural economy. It also risks discouraging women or authorities from reporting violent incidents, as it jeopardises the status of their commune.<sup>694</sup> Furthermore, the UN Women review found that the production support-related decrees under the NTP-NRD<sup>695</sup> were 'gender-neutral' and did not consider the gender divide in commodity production. The review found that in a number of communes, the Viet Nam Women's Union advocated for support and loan schemes to be channelled to women-led production models and cooperatives, to ensure that women had access to resources.

The same review of the NTP-NRD did find, however, that the program has provided benefits to women in terms of time-saving arising from improvements to roads, and irrigation systems. The program has introduced new knowledge and technology that improves efficiency and has increased income from the agricultural sub-sectors, such as horticulture and small animal husbandry, that women predominate in and depend upon for their livelihoods. Investments in clean water supply,

<sup>693</sup> Ibid.

<sup>694</sup> UN Women. 2020. *Independent Gender Review of the National Target Programme on New Rural Development (NTP NRD) for the period of 2010-2020*. Hanoi: UN Women.

<sup>695</sup> For example, Decision 4781/QĐ-BNN-VPĐP in November 2017 on the development of a Production Support Manual to assist value chain development.

electricity, schools, communications and sanitation have improved commune living conditions and addressed priorities for women to improve their well-being and that of their families.<sup>696</sup>

However, overall, program interventions and targets are 'gender-neutral' and lack an analysis of gender differentiated roles, access to resources and participation in decision-making in the agricultural sector – factors that fundamentally influence how women benefit from improvements to the sector, if at all. For example, targets were based on the premise that basic infrastructure serves the needs of the community, including women, and it is not necessary to have particular priorities or tailor infrastructural provision for women. This approach overlooks the different ways in which women and men are affected by different infrastructure investment decisions.<sup>697</sup>

It also meant that women were less likely to be consulted at the planning stages which reduced the effectiveness of interventions. Women's participation in actual planning was limited at two levels. Firstly, many of the master plans were developed by officials and professionals in rural development, construction and engineering, sectors within which women are less represented. A gender review of the NTP-NRD found little evidence that the number of female beneficiaries was considered as a relevant selection criterion in the review and approval of infrastructure schemes. For example, the designs of marketplaces involved few, if any, consultations with women about how they would use the facilities as either sellers or consumers. As a result, several of the markets built ended-up not being used – since they

696 Ibid.

697 Ibid.

did not meet the needs and preferences of women users.<sup>698</sup>

The NTP-NRD calls for annual participatory socio-economic development planning at village and commune level including holding village and commune level meetings to discuss priorities with community members. Women are targeted to be 30 per cent of participants at both levels. While women are less present at commune meetings, in village meetings in many parts of Viet Nam, women actively discuss their viewpoints on the NTP-NRD and other local development priorities.

However, despite the framework for participatory planning, women's inputs into infrastructure priorities remain limited. The role of village meetings, the level where women are most likely to participate, has a limited role in actually influencing final investment decisions. Often the plans presented at these meetings are already close to finalization, limiting the extent to which village participants can influence decisions. Women's participation in village planning varies by locality, region and ethnicity. In upland ethnic minority villages, meetings take place far from people's homes thus women are less likely to attend and when present may not voice their views in public forums due to gender and cultural norms.

At commune level, women are also less likely to be represented on NTP-NRD commune steering committees where final decisions are made due to their under-representation in government positions assigned to the committees.<sup>699</sup> The majority of communes

698 Ibid.

699 Oxfam. 2017. *Beyond national targets: Implementing commune-level planning reform, delegation of investment decisions, and community empowerment for poverty reduction: Synthesis report of surveys in Lao Cai, Hoa Binh, Nghe An, Quang Tri, Dak Nong, Ninh Thuan and Tra Vinh provinces*. Hanoi: Oxfam.

have no women holding key leadership positions. Moreover, women constitute less than 30 per cent of civil servants at commune level and only 23 per cent of agricultural cooperative leaders.<sup>700</sup>

These limitations in women's representation in planning mean that infrastructure developed through the program may not meet women's needs. Additionally, women's perspective and knowledge are not being channelled towards meeting the socio-economic development targets set by the program and opportunities to build rural women's leadership skills are lost.

### **Ethnic minority development policies and programmes.**

In addition to the NTP-NRD that targets all rural communes, the government has programs targeting poverty reduction amongst ethnic minorities. The main program is the Sustainable Poverty Reduction Program (NTP-SPR) administered by the Committee for Ethnic Minority Affairs (CEMA). This program finances infrastructure development, livelihoods, basic services and capacity building in the poorest districts and communes. The NTP-SPR (2016-2020) issued by the Decision No. 1722/QĐ-TTg sets objectives for (a) lowering the poverty rate by an average of 1.5 per cent per year; (b) increasing the per capita income of poor households by 1.5 times; (c) implementing programs through mechanisms that improve the living conditions and enhance access to basic social services for the poor on a sustainable basis; and, (d) investing additional resources in the infrastructure of poor districts, communes and villages with special difficulties, in alignment with NTP- NRD criteria.<sup>701</sup>

A gender analysis of the NTP-SPR found that the program had integrated some gender elements. For example, decisions establishing and renewing the program provide a general directive to 'give priority to women'. However, the mechanisms to be applied to gender-mainstreaming are not clear. No orientation is provided to explain gender differentiated infrastructure needs or mechanisms to be used to ensure women's priorities are integrated. As a result, the instruction to give priority to women has little impact on the final infrastructure investment decisions.

The program directive is that 30 per cent of the participants are women in commune and village planning meetings. However, in reality, such consultations are infrequent due to a lack of resources. For meetings that do take place, women are less likely than men to attend. Women in ethnic minority communities have a high labour and care workload, making their opportunity costs for participating in such meetings higher than for men. If the meeting outcomes are not likely to directly influence decisions about investments that will improve their daily lives, women are likely to 'vote with their feet'. When such meetings are held, officials at the meetings have limited facilitation capacities to encourage ethnic minority women to voice their opinions.<sup>702</sup>

At commune level, women's views tend to be represented by a few active women, such as representatives of the Viet Nam Women's Union. The diverse cultural, geographic, social and livelihood conditions of ethnic minority women across communes are not well reflected. A lack of resources and the limited capacity of officials prevent a deeper

700 UN Women and Institute for Family and Gender Studies (IFGS). 2016. *Female farmers and inclusive growth in Viet Nam*. Hanoi: UN Women.

701 IFAD. 2019. op.cit.

702 Government of Viet Nam. National Office for Poverty Reduction, Ministry of Labor-Invalids and Social Affairs, CARE, SNV, Oxfam. 2020. *Summary of the Independent Evaluation Report Gender Analysis of the National Target Programme on Sustainable Poverty Reduction (2016-2020)*. Hanoi.

level of participation of women from various communities. The NTP-SPR criteria indicate that infrastructure will be selected based on the number of women beneficiaries. However, no systems have been set up to guide how this criterion is to be applied to investments decisions, or the outcomes monitored.<sup>703</sup>

## Agriculture employment and livelihoods

### **Women, including ethnic minority women, constitute almost half of the agricultural workforce, making gender-mainstreaming extremely relevant to agricultural restructuring.**

Agricultural sector employment remains characterized by limited earnings and few worker protections, within which women and ethnic minority groups are particularly disadvantaged. The agricultural sector is the highest contributor to employment in Viet Nam and is especially important for women's employment. The sector categorized as agriculture, forestry and fishery employs 38 per cent of the labour force compared to 36 per cent in Services and 27 per cent in Industry and construction.<sup>704</sup>

Women represent close to half of agricultural workers (49 per cent). According to the Viet Nam Household Living Standards Survey (2018), 41 per cent of women surveyed reported working in agriculture, forestry and fishery compared to 37 per cent of men.<sup>705</sup> The proportion of rural women working in the agricultural sector is even higher with 63 per cent of rural women in the labour force engaged in agriculture compared to 57 per cent of men.<sup>706</sup>

Ethnic minority men and women are predominantly employed in agriculture, with 81 per cent employed in agriculture, as compared to 38 per cent for the majority Kinh population. For 33 out of 53 ethnic minority groups surveyed in 2015, over 90 to 100 per cent of people were employed in agriculture. Employment in agriculture is particularly high for ethnic minority women, with 84 per cent employed in agriculture, compared to 79 per cent for ethnic minority men.<sup>707</sup>

As Figure 71 shows, both women and men in agriculture earn less than in other sectors of the economy. However, the gap between women and men's earnings is highest for agriculture with women earning only 70 per cent of what men earn, as compared to women earning 90 per cent of what men earn in Industry and construction and 84 per cent in Services.

703 Ibid.

704 Government of Viet Nam. General Statistics Office (GSO). 2019. *Gender Statistics in Viet Nam 2018*.

705 Government of Viet Nam. GSO. 2018. *Viet Nam Household Living Standard Survey*. Hanoi: GSO.

706 FAO (Food and Agriculture Association). 2019. *Country Gender Assessment of Agriculture and the Rural Sector in Viet Nam*. Hanoi: FAO.

707 UN Women. 2015. *Figures on Ethnic Minority Women and Men in Viet Nam: Based on the Socio-economic Situation of 53 Ethnic Minority in Viet Nam 2015*. Hanoi: UN Women.

FIGURE 71: AVERAGE MONTHLY INCOME BY ECONOMIC SECTOR AND GENDER



Source: GSO. 2018. Gender Statistics in Viet Nam.

The agricultural sector also has a predominance of part-time work and women are more likely to be working part-time than men. A quarter of the men (25 per cent) and as many as 39 per cent of women are part-time workers in agriculture compared to less than 6 per cent for both in other sectors. Furthermore, part-time workers are more likely to be contractual workers with less job security and social benefits.

An analysis of average household income shows that ethnic minority households earn 45 per cent of the average income of the majority Kinh households.<sup>708</sup> A study of the socio-economic situation of ethnic minority groups found that those groups which depended on agriculture experienced greater difficulty moving out of poverty than ethnic minority groups that had transitioned to employment in other sectors of the economy.<sup>709</sup> While wage data disaggregated

by ethnicity and gender is not available, given that women generally earn less than men in the agricultural sector, ethnic minority women therefore face a double disadvantage.

**Gender divisions of labor in agriculture and unpaid care work in the home create a higher time burden for women, particularly among ethnic minority groups.**

Limited statistical data is available to characterize the nature of women's work in agricultural sub-sectors such as farming, aquaculture, fishery and forestry. For agricultural production, a qualitative study by FAO in the Mekong Delta highlights how the gender division of agricultural labour is in transition.<sup>710</sup> Traditionally, women's work is perceived as 'light' tasks such as broadcasting seed and weeding, and men are regarded as performing 'heavy' tasks such as land preparation and bundling. Many tasks such as manual weeding are in fact labour-intensive, arduous and

708 Ibid

709 World Bank. 2019. *Research Report: Drivers of Socio-economic Development Among Ethnic Minority Groups in Viet Nam*. Hanoi: World Bank.

710 FAO. 2017. *Rice-rice and rice-shrimp production: A gender perspective on labour, time use and access to technologies and services in southern Viet Nam*. Hanoi: FAO.

time-consuming. Agricultural mechanization has tended to reduce the intensity of many of the tasks performed by men, such as ploughing and combine harvesting. As a result, more of the labour-intensive tasks are left to women.

Women are also undertaking new tasks such as spraying pesticide that was previously undertaken by men. Overall, women contribute more than half of the labour required for major crops such as wet rice and from 60 to 80 per cent of the labour for vegetable crops, such as onions and green beans. Women also contribute the majority of the labour required for small animal husbandry such as raising pigs, as well as over 40 per cent for raising cattle.<sup>711</sup> The gender division of labour varies by region and production systems. For example, men provide a high percentage of the labour for shrimp production while women predominate in processing and marketing. Agricultural

711 Ibid.

production is more labour intensive in mountain areas where ethnic minority women constitute over half of the agricultural labour.<sup>712</sup>

**According to gender norms, women are primarily associated with domestic tasks as well as home-based productive tasks such as unpaid labour on family farms.**

As shown in Figures 72 and 73 below, rural women in the labour force are less likely to be paid workers than urban women (32 per cent for rural women compared to 54 per cent for urban women) and more likely to be engaged in unpaid labor (32 per cent compared to 12 per cent). Rural women are almost three times more likely than rural men to be engaged in unpaid labor (11 per cent for rural men).<sup>713</sup> A large segment of this unpaid labour involves contributing to small farm enterprises.

712 UN Women. 2015. *Figures on Ethnic Minority Women and Men in Viet Nam: Based on the Socio-economic Situation of 53 Ethnic Minority in Viet Nam 2015*. op.cit.

713 Government of Viet Nam. GSO. 2019. *Labor Force Statistics Quarter 1 2018*. Hanoi: GSO.

FIGURE 72: URBAN WORKFORCE, BY OCCUPATIONAL STATUS AND GENDER

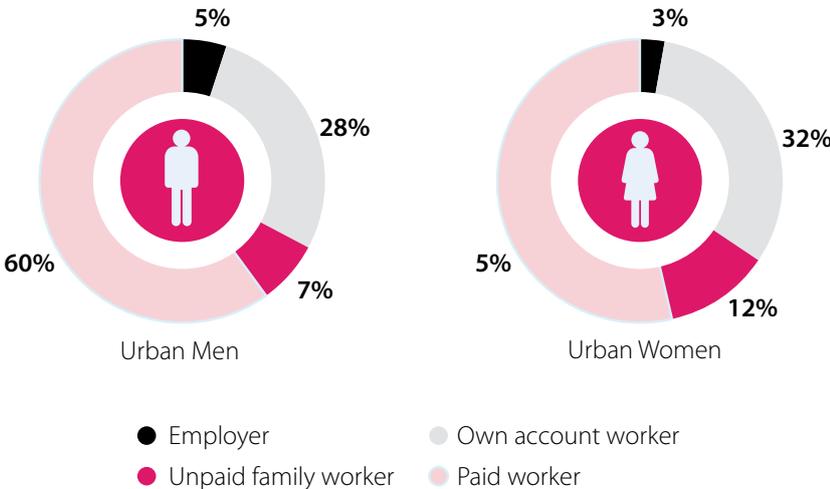
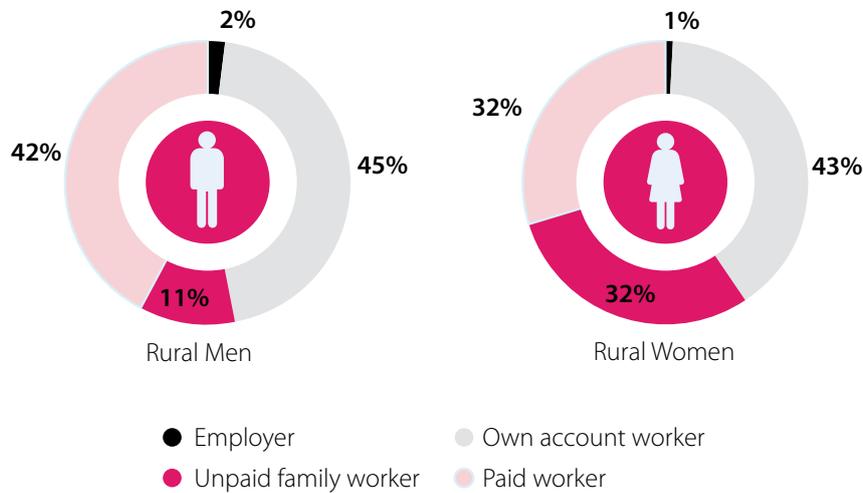


FIGURE 73: RURAL WORKFORCE, BY OCCUPATIONAL STATUS AND GENDER



Source: GSO. 2019. Labor Force Statistics.

In addition to their unpaid work for family income, women also spend more time than men on unpaid care work such as cleaning, cooking, caring for children or elderly relatives, or collecting fuel and water. In fact, women spend five hours per day on unpaid care work, as compared to three hours for men. Overall, women spend less time on paid work and on their own care, such as sleeping, leisure and learning.<sup>714</sup>

The increased time that women expend on unpaid care work is even greater in ethnic minority areas where women spend up to eight hours on unpaid care work, almost twice that of men in the same communities. Ethnic minority households are less likely to have appliances such as electric rice cookers, washing machines or gas cookers which increases the time spent on domestic chores. On average, 74 per cent of ethnic minority women are regularly in charge of collecting clean water for households, compared to 65 per cent for the majority Kinh population.

714 ActionAid. 2016. op.cit.

At least 20 per cent of ethnic minority households travel more than 30 minutes to collect clean water, compared to under 4 per cent for the majority Kinh population.<sup>715</sup>

**Women and ethnic minority groups have less access to the technical training that is needed as the agricultural economy becomes less labor intensive and more knowledge-based.** The agricultural sector is associated with lower technical qualifications than other sectors of the economy and women agricultural workers are in an even more disadvantaged position compared to their male counterparts. As shown in Figure 74, only 5 per cent of men and 3 per cent of women agricultural workers were trained with technical qualifications. These rates for Industry and construction are 20 per cent for men and 14 per cent for women, and for services are 49 per cent and 39 per cent, respectively.<sup>716</sup>

715 UN Women. 2015. *Figures on Ethnic Minority Women and Men in Viet Nam: Based on the Socio-economic Situation of 53 Ethnic Minority in Viet Nam 2015*. op.cit.

716 Government of Viet Nam. GSO. 2019. *Labor Force Statistics Quarter 1 2018*. Hanoi: GSO.

FIGURE 74: RATE OF EMPLOYED PERSONS WITH TECHNICAL QUALIFICATIONS, BY SECTOR AND GENDER



Source: GSO. Gender Statistics 2018.

As shown in Figure 75, rural women are more likely to have no technical qualifications compared to rural men and to urban women. Close to 90 per cent of rural women in the workforce have no qualification compared to just over 80 per cent of rural men.<sup>717</sup> Ethnic minority groups are less likely to have technical qualifications, in particular women. Only 6.1 per cent of ethnic minority workers complete programs to acquire technical qualifications, just a third of the rate for the majority Kinh population. The rate of skilled ethnic minority women is even lower at 5.7 per cent. Ethnic minority populations have a lower literacy rate, especially women, which is a constraint to participating in training. Ethnic minority women had a literacy rate of only 73 per cent, compared to 86 per cent for ethnic minority men.<sup>718</sup> A greater portion of rural women have a professional college degree than rural men,

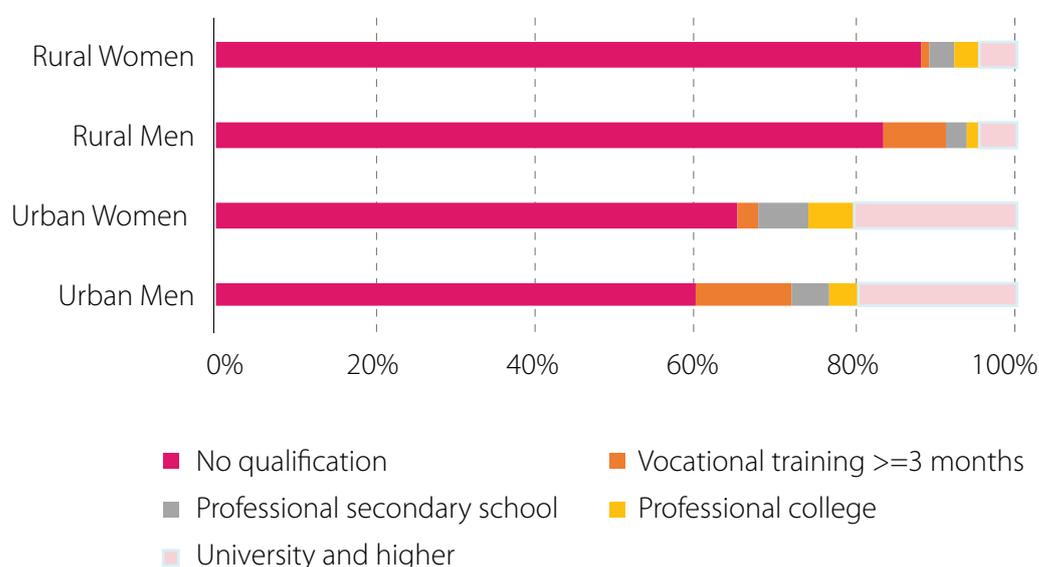
but rural women are less likely than rural men to have vocational training of 3 months or more.<sup>719</sup>

717 Ibid.

718 UN Women. 2015. *Figures on Ethnic Minority Women and Men in Viet Nam: Based on the Socio-economic Situation of 53 Ethnic Minority in Viet Nam 2015*. Hanoi: UN Women.

719 Ibid.

FIGURE 75: PERCENTAGE RURAL URBAN WORKFORCE, BY QUALIFICATIONS AND GENDER



Source: GSO. 2019. Labor Force Statistics - Quarter 1, 2018.

Despite their predominance in the agricultural sector, only 10 per cent of rural women are employed in the category 'Skilled agriculture, forestry and fishery workers', compared to 15 per cent of rural men.<sup>720</sup> In contrast, rural women are over-represented in the occupational category of unskilled labour (elementary workers) where they are 52 per cent of this occupational group. 'Elementary workers' is the occupational group that accounts for 51 per cent of all employed rural women compared to 43 per cent of rural men.<sup>721</sup>

The rate of employment of ethnic minority populations as skilled agriculture, forestry, and fishery workers is slightly higher at 17.7 per cent for ethnic minority men and 16.7 per cent for ethnic minority women largely due to their greater representation as workers in the agricultural sector as a whole. Ethnic minority populations are also predominantly employed

<sup>720</sup> Ibid.  
<sup>721</sup> Ibid.

in the category elementary occupations with the rate as high as 61.6 per cent for ethnic minority women.<sup>722</sup>

Rural women are also less likely than rural men to benefit from agricultural extension services and short-term training. Women's limited access to agricultural extension training results from a combination of factors. Women's dual role of contributing to the family income and being responsible for unpaid care work results in them having less time to participate in training programs. Moreover, the perception that women are not the primary agricultural workers in the household results in men more often benefiting from training programs and agricultural extension services or special projects.<sup>723</sup> Women are more likely to attend training courses on rice production whereas men are more likely to benefit from courses introducing new livelihoods such as orchard plantation or shrimp-farming.

<sup>722</sup> Ibid.  
<sup>723</sup> FAO, 2019.

Rural organizations targeted for technology transfer such as farmers' associations, cooperatives, Integrated Pesticide Management Clubs, farmer field schools and extension groups tend to be dominated by men. Women tend to be members of female-only associations which are less likely to be targeted for technical training. The Viet Nam Women's Union provides training information on traditional female productive tasks such as raising livestock but less often on introducing new higher-value agricultural production techniques.<sup>724</sup>

Although sex-disaggregated data on agricultural extension workers is not available, women's under-representation in the skilled agricultural worker occupational category suggest that fewer women than men are pursuing this type of work. Women's more limited access to agricultural extension services impedes their access to technologies for higher productivity and reinforces gender inequalities in women's access to resources.<sup>725</sup>

Women's under-representation in agricultural extension training is greater in mountainous areas among ethnic minority women due to the significant time burden of unpaid care work, as well as language barriers.<sup>726</sup> Limited Vietnamese language and literacy skills as well as distances to training programs impede ethnic minority groups, in particular women, from benefiting from extension programs. A qualitative study of information access in ethnic minority communities in upland areas found that neither women nor men considered that they received agricultural extension information adequate for their needs. Notably, women expressed more

concerns about increasing their access to such information than men.<sup>727</sup>

**Way forward.** As Viet Nam transforms the agricultural economy, developing agricultural policies, strategies and programs with explicit gender analysis and targets it is essential to ensure that the shift towards a knowledge-based agricultural economy benefits women and ethnic minority groups. More sex- and ethnicity-disaggregated data is needed to analyze employment trends in the agricultural sector, and to understand the impact of restructuring on different groups. An effective transformation to upgrade the competitiveness of the agricultural sector also means ensuring that women and ethnic minority groups, who form a substantial portion of the workforce, have access to training opportunities to improve their skills in order to both contribute to and benefit from the sector becoming more competitive. Ensuring quality work with conditions and protections that are tailored to the needs of women and ethnic minority groups are also key to the sustainable growth of the agricultural sector and the improved well-being of its workers.

### Access to resources and decision-making in agricultural value chains

#### Women have limited land ownership which constrains their access to credit and secure livelihoods.

As highlighted in the earlier section on land and property, while rates of households with joint registration is increasing, registering land in the name of the 'head' of the household still predominates. Women's contribution to agricultural labor is often undervalued because the household is regarded as the main unit of production and women's control over land, the main unit of production, is not officially recognized. Lack

724 Gallina, A. and Farnworth CR. 2016. "Gender dynamics in rice-farming households in Viet Nam: A literature Review". CGIAR Research Program on Climate Change, Agriculture and Food Security Working Paper no. 183. Copenhagen: CGIAR (Consultative Group on International Agriculture Research).

725 FAO, 2018.

726 UN Women. 2016. *Female Farmers and Inclusive Growth*. Hanoi: UN Women.

727 CARE. 2017. *Research report: Information Access Among Ethnic Minorities in Dien Bien, Bac Kan and Cao Bang Viet Nam*. Hanoi: CARE.

of access to land certificates limits women's access to credit to upgrade the value of their agriculture production. Women are a minority as heads of households, and female headed-households are more likely to rent-out their land due to a lack of sufficient household labour to manage farming and domestic tasks.<sup>728</sup>

**Women and ethnic minority groups are more likely to be involved in labour-intensive, lower value activities in agricultural value chains.**

A transformation from low productivity subsistence agriculture to higher value, agricultural value chains, that add value to production and generate more SMEs and jobs, is the key to the future growth of the agricultural economy. Competitive value chain development is also important in ensuring that the agricultural sector contributes to reducing poverty among rural populations, particularly ethnic minority groups living in mountainous areas.

Women are consulted at certain stages of value chain development, but evidence suggests that they are more involved in decision-making for lower value agricultural commodities or in lower nodes of the value chain. For example, qualitative assessments have identified that on small farms, Vietnamese women in the Mekong Delta region are involved in household decisions on input purchases or when and at what price to sell products such as rice and vegetables. These decisions are associated with women's role in household financial management and so are considered an extension of their domestic role. However, women's control over decision-making decreases as agricultural enterprises grow. Women are, therefore, less likely to be involved in major production

728 Gallina, A. and Farnworth, CR. 2016. "Gender dynamics in rice-farming households in Viet Nam: A literature review". *CGIAR Research Program on Climate Change, Agriculture and Food Security Working Paper No. 183*. Copenhagen: CGIAR (Consultative Group on International Agriculture Research).

investments such as new equipment.<sup>729</sup>

For ethnic minority women, their role in decision-making has changed as traditional farming practices have evolved. For example, women had a strong role in decisions related to traditional rice cultivation. However, as hybrid rice has been introduced, language barriers and their more limited mobility have made it challenging for ethnic minority women to access the technical information needed to make decisions about varieties, techniques and markets.<sup>730</sup> In shrimp-farming, women have a role in the decision-making about pond management due to their high contribution of labour to shrimp production. However, as aquaculture land is more likely to be registered to men in the household, women's role in pond management is hidden. This results in women being less likely to participate in training on new technology or environmental management. As a result, women have less information to be able to participate in decisions about production investments, quality control and their link to price and marketing decisions.<sup>731</sup>

For small-scale livestock husbandry, women make most decisions on selling and buying inputs as this livelihood activity is considered an extension of their domestic tasks. However, for larger animal husbandry operations, women are less likely to have a say in marketing decisions and production investments.<sup>732</sup>

729 Ibid.

730 Kawarazuka, N. and Prain, G. 2018. 'Gendered Processes of Agricultural Innovation in the Northern Uplands of Viet Nam'. *International Journal of Gender and Entrepreneurship* 11(3): 210-226.

731 Oxfam. 2016. *Identifying Gender Inequalities and Possibilities for Change in Shrimp Value Chains in Indonesia and Viet Nam*. London: Oxfam.

732 Nguyen Thi Tinh et al. 2017. 'Emerging Gender Issues in Viet Nam Pig Chain Value'. *Transformation in agricultural and food economy in Asia*. Bangkok: ASAE.

### **Women have limited access to resources to take advantage of enterprise development opportunities in growing agricultural sectors.**

Data on SMEs (starting at 10 employees) shows that only 1.5 per cent of SMEs were in the agricultural, forestry and fishery sectors. The data reveals that the vast majority of agricultural enterprises are micro-businesses employing less than 10 people. Of the small per cent of agricultural SMEs, 14 per cent of small and 4 per cent of medium businesses are owned by women. However, although only 1.5 per cent of enterprises are categorized as agriculture, forestry and fishery, other categories such as wholesale and retail trade may include activities in value chains and women are 30 per cent of business owners in this category.<sup>733</sup>

A 2017 study on the characteristics of the rural economy found that male headed-households are more likely to operate an enterprise than female-headed households. The proportion of female-headed households operating an enterprise was 21 per cent in 2016 compared to 28 percent for male-headed households. However, within both male and female-headed households, 51 per cent of household enterprises were operated by women.<sup>734</sup> This data, along with statistics showing the high proportion of women as own account workers and unpaid family workers in rural areas, indicates that agricultural micro-businesses are an important element in rural women's livelihoods.

The high percentage of women operating micro-businesses compared to their under-representation in SMEs is a result of women facing obstacles to upgrading their micro-businesses within the agricultural value chains. Access to credit represents

one of the key barriers. Women face more challenges to borrow than men because many women are not registered on the land use rights certificates. The situation is more challenging for ethnic minority women where fewer financial services are operating. Where financial services are available to the micro and small business sector, few offer a graduation path, such as linking clients to banks that offer larger loans. As a result, women entrepreneurs have difficulty accessing capital to grow their enterprise.

**Way forward.** Women, in particular ethnic minority women, are already active in key agricultural value chains. Key targeted support needed for women to enhance their livelihoods is: more effective implementation of joint spousal land registration, accessible and gender-sensitive business development and financial services and improved access to time-saving equipment. Recognizing women's critical contribution to the agricultural sector and addressing the gender-specific barriers that prevent them from growing their farm enterprises because agri-businesses is the key to sustainable growth as well as to gender equality.

### **Forestry**

#### **Gender and ethnic minority group issues need greater attention in forestry sector development and conservation.**

In Viet Nam the poorest income groups, particularly ethnic minority groups, are the most likely to depend on forest-based livelihoods. Forest resources are essential for energy and food security. At the same time, forest-based livelihood tasks are labour intensive and much of the time-consuming work is performed by women. Women are primarily responsible for tasks such as nursery tending, seedling preparation and non-timber forest product (NTFP) collection. Activities such as thinning and pruning, forest rehabilitation and

733 IFC. 2017. *Women-owned enterprises in Viet Nam: Perceptions and Potential*. Washington: IFC.

734 *United Nations University. 2017. Characteristics of the Vietnamese rural Economy: Evidence from a 2016 rural household survey in 12 provinces of Viet Nam*. Hanoi: UNU.

enrichment planting are shared between women and men. Women focus on fulfilling subsistence needs by gathering medicinal herbs, fuel, edible wild plants and fodder, while men are more involved in higher value activities such as timber and NTFP extraction for commercial purposes.<sup>735</sup>

This gender division of labour reinforces the perception of forestry as a male domain and men derive more income opportunities from their forest-based activities. Forestry land is more often registered to male household family members which further undermines women's role in the sector. Because of these norms, fewer opportunities in forestry planning and capacity development programmes for managerial, technical and business skills are offered to women.

A knowledge of forestry is critical to forest conservation and management efforts. Due to their gender differentiated roles, women and men have different types of forest-based knowledge. However, women's participation in decision making and leadership positions in forestry is low at both national, local and community level.<sup>736</sup> Women's lower participation in forestry means that their knowledge and their perspectives on appropriate forest usage are not considered in planning.

In addition, information on most aspects of forest management, such as the rules around forest conservation and any special measures do not reach women. For example, for communities participating in forestry Payment for Environmental (PES) services in Viet Nam, men would most often attend meetings to discuss the rules, and membership eligibility in such programs. The types of livelihood

restrictions developed around PES forest management would often favour men's preferences for agro-forestry activities as opposed to women's livelihood forest uses despite the latter having potentially more forest conservation benefits. Also, the PES rules and changes in rules would be communicated to male relatives and not always reach women.<sup>737</sup>

More data and gender research are needed in the forestry sector. More knowledge is required to better understand and reinforce the important role that ethnic minority women play in forestry activities. Providing women with a voice and control of resources is critical to empowering women as well as effective management and the protection of forests and forest resources.

**Way forward.** Provide more skills development training to allow ethnic minority women to upgrade their livelihood activities in forest value chains including on NTFP extraction and processing, business planning, accountancy and literacy alongside technical forestry training. Viet Nam needs a national system to better collect sex-disaggregated forestry sector data and undertake gender-based research on forestry development and conservation. This first step would contribute to a better understanding of gender equality issues and the programs and policy changes needed to promote the meaningful participation of women in forestry programmes and paid environmental services.

## Rural Productive Infrastructure Development

**As rural road investments improve living conditions for households, women benefit from the improvements.** However, women's differing mobility patterns need to be better integrated into road development planning

735 Wouter Tuijnman et al. 2020. "Payments for environmental services, gendered livelihoods and forest management in Vietnam: a feminist political ecology perspective." *Journal of Political Ecology* 27: 317 -334.

736 FAO. 2015. *Understanding Women's Position in Forestry in Viet Nam*. Hanoi: FAO.

737 Wouter Tuijnman et al. 2020. op.cit.

and implementation. Rural roads contribute to poverty reduction by increasing both farm and off-farm household income. Rural roads facilitate transportation and reduce costs for marketing agricultural goods, enabling access to higher quality inputs as well as creating off-farm economic opportunities. The effect of rural roads is found to be an even more important factor in reducing poverty for poor, ethnic minority areas that focus on subsistence farming for their food security without options for livelihood diversification.

Women have dual roles incorporating both productive and domestic tasks in rural communities and are more dependent on basic infrastructure and services. Gaps in basic rural infrastructure result in heavier workloads and higher expenditures to meet basic needs. This affects women, and ethnic minority women, more severely. As rural road investments improve living conditions for households, women benefit from those improvements.

However, due to gender norms that influence the gender division of labour in the household and community, women have different mobility patterns and transport needs than men. Women's responsibilities for domestic work, including childcare and care of the elderly, mean that they are more likely to make frequent short trips than long trips far from home. Depending on local and cultural traditions in different parts of Viet Nam, women may also face cultural barriers to their mobility outside their home or village. Access to a means of transportation is also gender differentiated. Women are less likely than men to have regular access to cars and motorbikes and their use of a vehicle is less of a priority in the household. As a result, the availability of safe, frequent and reliable public transport services is more important to women's mobility than the quality of road

services or other technical aspects of road improvement.<sup>738</sup>

An analysis of gender difference in the benefits of road improvement in communes covered by the NTP-NRD program found that both women and men have benefited from the investments in rural road improvements. However, men are better positioned to take advantage of the opportunities stemming from road improvements than women. At the household level, male-headed households were more able to take advantage of the agricultural commercialization activities and off-farm wage-earning opportunities which road improvements make more accessible. Female-headed households lacked the additional land, labour and access to equipment to be able to increase their agricultural output in response to better market access. Female-headed households were also less able to take advantage of wage employment due to their existing heavy workload for domestic tasks, child and elderly care responsibilities.<sup>739</sup>

Women within male-headed households benefited overall from the household's expansion of agricultural trade, on-farm and off-farm business and wage opportunities. However, the increased labour required for agricultural commercialization made it more likely that women devoted more time to unpaid family work than accessing opportunities for paid work outside the home. Ethnic minority women's heavier domestic workloads and lack of means of travel to participate in wage employment resulted in their being less likely to travel for work than ethnic minority men. The analysis showed that complementary interventions such as providing access to capital for female-headed

738 ADB. 2013. *Gender Equality Toolkit: Transport*. Manila: ADB.

739 Mannava, A., Perova, E. and Tran, PTM. 2019. *Who benefits from better roads and why? Mixed-methods analysis of the gender-disaggregated impacts of a rural roads project in Viet Nam*. Hanoi: World Bank.

households or time-saving devices to decrease women's workload were needed in order for rural road improvements to contribute more effectively to women's economic empowerment.<sup>740</sup>

In NRP-NTD consultations, rural women expressed concerns about whether planned road improvements would expand access to schools, health services and facilitate their daily tasks. Women are more likely than men to prioritize investments in intra-village roads and small-scale bridges that reduce travel times for their daily tasks or make it safer for children to travel to school.<sup>741</sup> However, women are less likely than men to participate in commune and district meetings to express their views about road improvement priorities.<sup>742</sup>

**Women in rural Viet Nam play a key role in water resource management but have limited participation in irrigation management institutions and infrastructure development.** Women's greater responsibility for domestic tasks mean that they have a more substantive role both collecting water and in allocating water usage for varied household needs. Ethnic minority women often take the lead in developing and managing rainwater harvesting systems for household use to supplement or conserve other gravity-based or ground water resources.<sup>743</sup>

Disparities across rural and urban areas, and between the rich and the poor in water access continue to add to the time burden of women, especially rural and ethnic minority women. In 2017, 93 per cent of the rural population and 84 per cent of the poorest

groups had access to an improved water supply, compared to 99 per cent of their urban peers and 99 per cent of those in higher income categories. Access to basic sanitation facilities mirrors the same trend servicing 78 per cent of the rural population and at 41 per cent of poor households, compared to 94 per cent of the urban inhabitants. Additionally, it was estimated that 82 per cent of the rural population and 64 per cent of poor households practiced basic hygiene, as compared to 93 per cent of their urban peers and 97 per cent of non-poor households. This has direct implications for household health status, especially for children under 5 years who are more susceptible to disease and infection.<sup>744</sup>

In addition, to their responsibilities for meeting the family's water needs, women's contribution to agricultural labour means that they are increasingly affected by decisions on irrigation water management and on the timing and quantities of water diverted from irrigation systems. Due to the gender differentiated productive and domestic roles, women and men have different priorities for water resources management. Rural women place a high priority on infrastructure improvements that improve access to a clean water supply that improves family health and hygiene. Men are more likely to emphasize the agricultural productivity benefits of investments in water management schemes whereas women view water management through a wider lens that considers productivity, water quality for household use, and reduced labour for water collection. Women also may prioritize different usage among types of agricultural commodities depending on how they have diversified livelihood activities for seasonal vegetable

740 Ibid.

741 ADB. 2016. *Basic infrastructure for inclusive growth sector project: Poverty, gender and social assessment: Loc Ha District, Ha Tinh Province*. Hanoi: ADB.

742 Ibid.

743 Ibid.

744 UNICEF. 2020. *Policy Brief: Water, Sanitation and Hygiene in Viet Nam*. Hanoi: UNICEF.

production or animal husbandry.<sup>745</sup>

Women are most affected by water scarcity due to the increased time burden in collecting water for fields, animals and the home when droughts occur or water sources are drying up. Women and girls have greater water needs for personal hygiene than men, especially during menstruation. Lack of adequate water at home or at school can reduce girls school attendance due to additional time spent collecting water or lack of water for washing during their menstrual cycle.<sup>746</sup> Women also contribute labour to water re-routing, the maintenance of irrigation ponds and constructing and maintaining irrigation canals.<sup>747</sup> Consequently, women and girls have a considerable stake in and incentives to contribute to water conservation as well as to identify and implement improved water management techniques such as irrigation ponds and rainwater harvesting.

Despite women's critical role in relation to water, their level of influence decreases incrementally up the chain of water resources management decision-making. Informally within Vietnamese villages or household clusters, women are often active in participating in collective water management decisions or informally agreeing on local water management issues. However, men, as the formal land-owners, are most often represented in irrigation management committees that send representatives to commune and district level irrigation management boards. As a result, women

745 Le, THN. 2016. The Women's Role in Agriculture and Irrigation Management: A Case Study at Gia Xuyen Commune, Gia Loc District in Hai Duong Province, Viet Nam. *International Conference on the Mekong, Salween and Red Rivers: Sharing Knowledge and Perspectives Across Border*. Bangkok: Faculty of Political Science, Chulalongkorn University.

746 Son, J. 2019. *Impacts of Water, Sanitation, and Hygiene (WASH) Facilities on Women's Access to Education -The Case of Lao Cai Province, Viet Nam*. Thesis for Master of Arts. Seoul: Gwangju Institute of Science and Technology.

747 IUCN and Oxfam. 2018. *Gender and water governance in the Mekong region*. Bangkok: IUCN.

## Gender-Disaggregated Impacts of a Rural Roads Project in Viet Nam.

Globally and in Viet Nam not all women have the means to benefit from improved road infrastructure. A recent impact evaluation by the World Bank of the Third Rural Transport project (RTP3) in Viet Nam found that better roads improved economic opportunities for agricultural production and trade. However, only households headed by men were able to capitalize on these opportunities to increase agricultural output and income.

The RTP3 project had statistically significant impacts on both crop production and the amount of crop production traded for male-headed households: the size of the treatment effect on crop production is about 15 percent of the baseline mean for male-headed households, or the equivalent of about US\$100 annually. However, for female-headed households, the impact was much smaller: less than 0.5 percent of the baseline mean. Female-headed households were constrained by inadequate household labor and capital which limited their ability to make up-front investments to increase production and income.

Coordinating road improvement programs with complementary interventions, such as access to credit programs, could help vulnerable households overcome these constraints (Mannava et.al. 2020).

Mannava, A, Perova, E. & Tran, PTM. 2020. *Who Benefits from Better Roads and Why? Mixed Methods Analysis of the Gender-Disaggregated Impacts of a Rural Roads Project in Vietnam*. World Bank Policy Research Working Paper No. 9216.

have little or no voice in wider geographic water management decisions that affect them. Women are also poorly represented in water management professions. As a result, women are less likely to be hired by irrigation management boards and for technical positions in water resources management. The absence of women's perspectives affects the equity, responsiveness and quality of water resources management decisions.<sup>748</sup>

**Way forward.** Stronger gender-mainstreaming and the proactive inclusion of ethnic minority women is essential to ensuring targeted rural development programs meet their poverty reduction goals. Strengthening the role of the Viet Nam Women's Union in national targeted programs as well as increasing training on gender mainstreaming among responsible local officials are essential elements to improve the effectiveness of such programs. While poverty reduction requires investments in boosting the agricultural economy through productive infrastructure such as rural roads, markets and irrigation systems, it is essential that these services address the differentiated gender and ethnic needs for services and livelihood support. Participation in rural development planning allows women to identify the priority investments that will improve their livelihoods, their quality of life and that of their families, and reduce their time burden. Women and ethnic minority groups need more access to training, community decision-making and other services such as public transport to be able to take advantage of new commercial opportunities created from infrastructure development such as roads and irrigation. Promoting the entry of more women, including ethnic minority women, to study engineering, water resource management and other rural infrastructure professions, in particular in the TVET sector would contribute to greater and much broader representation in the sector.

748 Le, THN. 2016. op.cit.

## Rural women's vulnerability to disasters and climate change impacts

### The increased frequency and severity of natural disasters and the impacts of climate change are posing new challenges to gender equality and women's empowerment in rural areas.

Due to their predominance in the agricultural sector, women are assuming a greater workload in agricultural production as the sector becomes more prone to disaster risks and impacts. Women are more likely to depend on small-scale and subsistence agriculture such as vegetable production, and small livestock that are prone to loss when disasters strike. Women's small and medium businesses are under-capitalized and concentrated in food and retail sectors that are more vulnerable to the impact of disaster. Also, women are more likely to deal in perishable goods or small retail operations that are more exposed to losses during disasters.<sup>749</sup>

Women have fewer assets that support them to absorb shocks. Women, especially those from poor and ethnic minority households, have fewer savings or other resources to cope with losses. Worthy of note is women's restricted access to land and assets needed to secure financing at such times. A lack of formal land ownership can limit women's access to post-disaster financial or in-kind assistance for damaged land or crops. Due to their lack of access to formal financing mechanisms, women are more likely to take out small, informal loans to meet the family's needs. This debt can be burdensome for women when repeated disasters occur, since they lack sources of income to repay their loans. When disasters strike, women face not only the loss of production to meet their family's food security needs but also an increase in

749 VUFO-NGO Resource Center. 2017. *Policy Brief: Gender Equality in Climate Change Adaptation and Disaster Resilience in Viet Nam*. Hanoi.

workload for land restoration and replanting. Rural women with no access to land often work as seasonal agricultural laborers who have no source of income when agricultural production is disrupted due to disaster.<sup>750</sup>

Women have greater responsibilities for domestic tasks that become more difficult and time-consuming after climatic events. Women bear more responsibility for daily tasks such as collecting water that becomes far more challenging during periods of flooding or drought. In the event of a cyclone, flood or other disaster that requires mobility, being responsible for children and elderly relatives may hinder women's access to shelter or access to healthcare. A study on the impact of the 2016 drought found that women faced additional water management tasks to meet household needs while also taking on additional paid work due to the financial constraints caused by the drought. This double burden greatly increased women's time poverty.<sup>751</sup> Over time, more frequent and severe incidences of flooding and drought caused by climate change will further add to women's labor and restrict the time available to diversify livelihood options. This is compounded by women's low access to agricultural extension, including knowledge of adaptive agricultural techniques and more resilient crop varieties.

Women's comparatively limited access to and control over household assets and resources restrict women's options to diversify their livelihood options to respond to climate change. Rural women are more likely to be engaged in low-yielding subsistence agriculture that is more at risk in a disaster and through the impact of climate change. Without access to land, women are constrained in accessing financing needed to obtain higher quality inputs, equipment or

new production technology.<sup>752</sup> Due to their under-representation in technical training, women have less access to agricultural services that are important for building resilience and developing adaptation options. Also, the limited access to land and capital limits women's options to invest in more climate-resilient livelihood options by diversifying their production to higher value crops or supplementing their income with small-scale processing or off-farm enterprises.

Women's priorities are less likely to be considered in disaster risk reduction and adaptation planning due to their under-representation in local government positions that are assigned to these decision-making bodies.<sup>753</sup> Gender inequalities and a lack of training and formal mechanisms to promote women's leadership result in women being under-represented in decision-making bodies, at all levels. Their absence at the local level makes an immediate difference to household security and resilience. Women's lower participation in community organizations hinders their involvement in preparedness activities.<sup>754</sup>

**Significant impacts of COVID-19.** The COVID-19 pandemic has had a considerable impact on women's paid and unpaid work in ways that could undermine progress on gender equality and women's empowerment. COVID-19 school closures and other public health prevention measures such as increased hygiene standards primarily affect the domestic workload for which women are responsible. A rapid assessment in Viet Nam by UNEP showed that women's time for unpaid care and domestic work increased substantially with 73 per cent of female respondents spending 3 or more additional hours on unpaid care work compared to their usual workload.<sup>755</sup> The

752 Ibid.

753 VUFO-NGO Resource Center. 2017. op.cit

754 Ibid.

755 UNEP. 2020. *A Rapid Socio-economic Assessment in Viet Nam by the Empower Project*. Hanoi: UNEP.

750 Tran, TA. et al. 2016. *Gender analysis in building climate resilience in Da Nang Challenges and solutions*. IIED: Hanoi.

751 Ibid.

impact of the pandemic has caused many people, especially those in rural areas and ethnic minority communities, to slip back into poverty due to unemployment, underemployment and loss of income. The pandemic has disrupted employment in sectors of the economy where women are highly represented. An estimated 31 per cent of manufacturing workers and 18 per cent of accommodation, food, tourism and transportation employees saw their incomes halved in the first two quarters of 2020. The number of garment industry workers already forced below the poverty line by the crisis is expected to double by the end of 2020 due to 14-28 per cent income losses.<sup>756</sup> Women who operate micro, small and informal enterprises that depend on door to door or physical markets are also among the hardest hit.<sup>757</sup>

**Way forward.** Women's limited access to financial resources make them increasingly vulnerable when disasters strike. Strengthening women's resilience requires steady investment in their access to climate smart technology and training to reduce their risks as well as diversify and enhance their livelihoods. Priorities to support women during the global pandemic include providing micro and small businesses and informal workers with financial assistance to cope with the ongoing impacts of the global pandemic. Women whose livelihoods are disrupted by the pandemic need both temporary access to social protection as well as more opportunities to acquire new skills to adapt to the lasting impacts in the labor market.

### Recommendations.

- **Strengthen knowledge about gender analysis of agricultural policies and value chain investment.** The Government of Viet Nam is continuing to

improve its agricultural strategies, policies and programs to ensure an effective shift towards a knowledge-based agricultural economy. As the government, in particular MARD, continues to analyze and introduce agricultural restructuring initiatives, adding an in-depth gender analysis of the agricultural workforce, agri-businesses and of access and control over land and other resources is required to identify the gender impact of reforms. This analysis could contribute to developing strategies to ensure women and ethnic minority groups can fully benefit from opportunities that emerge from a renewed agricultural economy. As well as gender specific analysis, more knowledge-building activities such as workshops, studies and technical assistance are needed to support agriculture policy-makers to better analyze the gender impacts, especially with respect to ethnic minority women, of varied models of agricultural transformation. This analysis would help to highlight how women overall – and ethnic minority women in particular - are positioned on key value chains and how investments in these areas would benefit them as well as improve the overall competitiveness of value chains. This could also include supporting the government to collect essential sex-disaggregated data and undertake gender and ethnic sensitive analysis on agricultural employment trends. Knowledge-building could include accessing technical assistance from development partners on (i) gender-responsive human resource policies for agricultural enterprises; (ii) financial intermediaries' interventions to modernize farm and manufacturing processes to upgrade wages and the conditions of work in agricultural enterprises, and (iii) invest in technology, equipment, and skills development that

756 UNICEF. 2020. *Covid-19 Rapid Assessment on the Social and Economic Impacts of On Children and Families in Viet Nam*. Hanoi: UNICEF.

757 Ibid.

reduces manual labor in particular for tasks that are more assigned to women. Such measures could reduce the physical demands of farm labour and promote better working conditions and facilities for all workers, with special attention to the needs of women.

- **Strengthen women's, in particular that of ethnic minority women, access to land.** Government officials could strengthen the capacity of officials in the Ministry of Natural Resources and Environment, Land Administration Department to implement gender-responsive measures of the land law. This initiative could start with training government land officials on the rationale, requirements and benefits to better enforce requirements for joint registration of spouses on land certificates in particular in ethnic minority areas. Once such training is developed it could be piloted in target provinces and districts in collaboration with development partners. The training could then be rolled out to other areas of the country to increase the pace of joint registration.
- **Invest in climate smart agriculture, forestry and fisheries programs that increase women's incomes and reduce their time burden.** Enhancing women's disaster resilience requires an increased engagement of women, especially ethnic minority women, in climate smart agricultural training and access to technology and services. MARD Viet Nam has identified training priorities for adoption such as inter- and intra-species crop diversification, integrated farming, multiple cropping, agroforestry, and shifts towards higher value agricultural value chains as part of its adaptation strategies.<sup>758</sup>

More efforts are needed to ensure that such climate adaptation training programs specifically target crops and value chains – such as horticulture and small poultry – where women predominate. In addition, agricultural extension and vocational education and training programs need to be tailored to the value chain activities of ethnic minority women such as NTFP extraction and processing, business planning, accountancy, and literacy alongside technical forestry training. Rather than setting minimal targets for ethnic minority women's inclusion in broader extension programs, a targeted approach is needed to ensure that ethnic minority women can catch up and raise their skill level to that of the rest of the population. This would mean designing training programs to accommodate ethnic minority women's learning needs, location, educational background, Vietnamese literacy levels, schedules and other pre-requisites to ensure more concerted efforts towards skills enhancement.

- **Develop the capacity of the Viet Nam Women's Union.** The government and its development partners could invest in increased capacity- building of the VWU to provide services to women and develop networks that would reinforce their role in influencing agriculture-related policy changes, state programs especially NTPs, and land reform. Strengthened rural networks would increase women's information on changes in agriculture and allow women to improve their positioning as well as taking leadership positions accordingly. This could include greater learning and knowledge exchange opportunities to build local government and VWU capacity on gender issues and priorities in climate change adaptation and disaster risk reduction.

758 ADB. 2020. *Climate change risk and adaptation assessment for irrigation in Southern Viet Nam*. Manila: ADB.



CHAPTER 10.  
EQUALITY IN THE  
FUTURE DECADE

Gender equality transcends individual indicators and sectors, and progress for women and girls is profoundly impacted by mega-trends and the macro-context. Ahead of research and datasets, three issues have been chosen as major forces that will shape Viet Nam's socio-economic trajectory - the ongoing COVID-19 pandemic, environmental challenges linked to climate change, and industrialisation and technology. Drawing on current, acknowledged gender differentials at this time, the analysis considers sources of women's future vulnerability and resilience, and options for safeguarding gender equality progress.

## 10.1 COVID-19 AND PANDEMICS



**Well-managed outbreaks, but a crisis for equality.** This report was finalised as Viet Nam was responding to its fourth COVID-19 wave across the country. Since the SARS epidemic in 2002, from which Viet Nam emerged as the first of 29 countries to be declared SARS-free by the World Health Organization, Viet Nam had steadily increased its investment in public health infrastructure. In the aftermath of that epidemic, Viet Nam established national public health emergency operations and surveillance capacity, and increased public health expenditure by 9 per cent per year per capita over the period 2006-2016.<sup>759</sup> With that preparedness, Viet Nam's response to the emergence of COVID-19 has been able to be pre-emptive and decisive. By January 2021, its low number of cases and deaths per million people earned it a ranking in the top of 10 of

759 Pollack, T. et al. 5 March 2021. *Emerging COVID-19 success story: Vietnam's commitment to containment. Exemplars in Global Health.* <https://ourworldindata.org/covid-exemplar-vietnam>

116 countries in pandemic performance.<sup>760</sup>

However, unlike previous global public health and financial crises<sup>761</sup>, COVID-19 has been disproportionately detrimental to women and has exposed gendered fault lines in the economy and social structures. COVID-19 has necessitated unprecedented and extreme public health measures, including the closing of national borders to travel and trade, interrupting supply chains, tourism and commerce; prolonged school closures, requiring online learning and home tuition; periodic shut downs and social distancing requirements in retail, hospitality and services, thus weakening business; stay-at-home orders, with family confinement; an increase in domestic chores and care tasks. Job and income losses, and elevated anxieties relating to livelihood and fear of the virus, have also increased the stress on households. These factors have had a gender-specific impact, and within the space of 15 months, the prediction that COVID-19 could reverse fragile gender equality gains is unfortunately already materialising - worldwide and in Viet Nam.

**Knowing the numbers.** As of 12 August 2021, Viet Nam had recorded 256,000 laboratory-confirmed cases and 5,088 deaths<sup>762</sup> since the World Health Organization's declaration of a global pandemic on 11 March 2020. Sex-disaggregation of the official case number is not available. However, with recent hotspots occurring in industrial parks in Bac Giang and Bac Ninh where light

760 The COVID-19 Performance Index of the Low Institute, Australia. The index measures six indicators: following indicators: confirmed cases; confirmed deaths; confirmed cases per million people; confirmed deaths per million people; confirmed cases as a proportion of tests; and tests per thousand people. <https://interactives.lowyinstitute.org/features/covid-performance/#methodology> Accessed 15 January 2021.

761 Blanton, R. & Peksen, D. (2019) *The Gendered Consequences of Financial Crises: A Cross-National Analysis.* Politics & Gender. op.cit.

762 COVID-19 Data Repository by the Center for Systems Science and Engineering (CSSE) at Johns Hopkins University. op.cit <https://github.com/CSSEGISandData/COVID-19>



manufacturing is concentrated, it could be assumed that women workers have constituted a high proportion of cases. Indeed, according to field level and anecdotal data gathered by the Bac Giang Viet Nam Women's Union, women appear to account for over 80 per cent of the 2000 or more positive cases in the provincial outbreak. Some of these women are accompanied by their children, without the support of relatives close by.<sup>763</sup> This highlights the intertwined health, social and economic repercussions of COVID-19, and the breach in family care, protection and well-being when women fall ill with the virus. State-supported care services and alternatives to women's caring role need to be a part of preparedness for future outbreaks and pandemics, generally. Routine sex-disaggregation of case and mortality data would assist Viet Nam in estimating and sequencing the response needed.

**Women on the frontline.** In Viet Nam, women account for 63 per cent of the health sector<sup>764</sup> and have been a vital part of the national COVID-19 health workforce, alongside men. However, infection control protocols and the non-stop demands on health services during outbreaks revealed particular challenges for women. A UN rapid assessment conducted in August 2020 found that women health care workers were still having to maintain their caregiving role at home, including the supervision of home-based schooling. This led to added pressure for women during a period of extreme demand at work. The same report noted that international studies have found that the mental health of frontline healthcare workers has suffered due to COVID-19. However, symptoms such as depression, exhaustion, anxiety and insomnia have been higher among nurses, the majority being women, due to the unremitting care

763 Email correspondence shared with the CGEP authors.

764 <https://data.unwomen.org/resources/covid-19-and-gender-monitor>

responsibilities at home.<sup>765</sup> Despite women's high proportion of the workforce, in Viet Nam as elsewhere, Personal Protective Equipment (PPE) such as surgical masks and coverall suits were designed in men's sizes and so were ill-fitting and less protective for women in healthcare to use. Furthermore, menstrual hygiene products were not originally included in the packages for frontline healthcare workers on call, a further example of gender bias in universal design.

**An increase in violence against women.** Not long into the pandemic, as early as April 2020, reports mounted with respect to the impact of COVID-19 for increased levels of violence against women and children.<sup>766</sup> The early outbreaks in China, Italy and Europe saw reports of a surge in calls to violence hotlines and shelters during home isolation periods,<sup>767</sup> and there was anecdotal evidence from Australia and the US that perpetrators were using the virus 'as a scare tactic to threaten or isolate victims.'<sup>768</sup> Assessments conducted in 2020 confirmed this phenomenon was occurring in Viet Nam also. Data collected in 2019 for Viet Nam's 2<sup>nd</sup> national prevalence study on violence against women and girls (2020) highlighted some concerning pre-conditions for COVID-19: that more than half of the women surveyed had experienced at least one form of violence (physical, sexual or emotional abuse) by a partner in their lifetime, and one in three women had experienced domestic violence in the past 12 months. The most mentioned

765 United Nations (UN). August 2020. *UN Assessment on Economic Impacts of COVID-19 and Strategic Policy Recommendations for Viet Nam*. Hanoi: UN.

766 Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S. and van Gelder, N. (2020). *Pandemics and Violence Against Women and Children*. Center for Global Development. Working Paper 528. <https://www.cgdev.org/publication/pandemics-and-violence-against-women-and-children>

767 The Shadow Pandemic - Violence Against Women and Girls and COVID-19. <https://www.unwomen.org/en/digital-library/multimedia/2020/4/infographic-covid19-violence-against-women-and-girls>

768 Peterman, A., Potts, A., O'Donnell, M., Thompson, K., Shah, N., Oertelt-Prigione, S. and van Gelder, N. (2020). op.cit

triggers for violence were 'family problems' (50.8 per cent) and 'drunkenness' (40.9 per cent), or 'money problems' (18.8 per cent); and 90 per cent of women did not seek help, in part because they believed violence was to be expected or not serious.<sup>769</sup>

In May 2020, after the snap nationwide lockdown, the Peace Shelter – a safe house for victims of domestic violence run by the Viet Nam Women's Union - reported a doubling in the number of hotline calls and of women and children seeking accommodation, as compared with same period in 2019.<sup>770</sup> A study undertaken by ISDS and the Hanoi School of Public Health between June-September 2020 of 303 women in Hanoi found almost universal experience of marital conflicts since the onset of the pandemic. An estimated 87.8 per cent of women reported experiencing psychological violence, 80.9 per cent of women reported suffering from controlling behaviours, and 59 per cent of women reported experience of physical violence. One in four women in the sample (25 per cent) disclosed experience of sexual violence. Almost half of the women who experienced violence (45 per cent) sought help, although it was far more difficult to do so during the lockdown. Half of the women (51 per cent) had suicidal thoughts. Notably, the majority of women reported that all forms of violence took place more frequently during the COVID-19 pandemic than was the case previously.<sup>771</sup>

**'Exponential expansion' of women's unpaid and domestic work**<sup>772</sup>. Ingrained social norms strongly dictate women's role as primary caregiver 'Stay at home' measures to contain COVID-19 have illuminated and heightened women's already high unpaid care workload. This includes home schooling, care of unwell family members, intensified household chores through hygiene vigilance, and limited catering alternatives to home cooking with the closure of shops and restaurants. The Government of Viet Nam instituted a nation-wide closure of schools across Viet Nam from after the Tet holiday period until the first week of May 2020 – a period of 3 months. In Viet Nam, as elsewhere, households with reliable internet access enabled students to transition to the nascent, experimental early stages of online schooling. There is no data on the number or share of households this represented. Households without any internet connection had to resort to book-based, self-directed learning by students. By default, and anecdotally, the supervision of home-based learning became an additional domestic responsibility for women. The time use survey planned by the Government of Viet Nam in 2021 may be able to quantify this. While task-specific data on time use since the onset of COVID-19 is not yet available, a small-scale report on rural women noted that most respondents' unpaid workload in the household had doubled, with 73 per cent of respondents spending three or more hours per day since the pandemic, and 38 per cent of respondents spending six hours on care tasks and chores.<sup>773</sup>

769 Government of Viet Nam. 2020. National Study on Violence against Women. Hanoi: MOLISA.

770 United Nations (UN). August 2020. op.cit

771 Institute for Social Development Studies and Hanoi School of Public Health. September 2020. "During the epidemic... I was beaten with bruises all the time." Findings from a research study on the impact of COVID-19 on domestic violence against women in Ha Noi, Viet Nam. Hanoi: Viet Nam Women's Publishing House.

772 Oxfam. (April 2020). *Dignity Not Destitution: An 'Economic Rescue Plan for All' to tackle the Coronavirus crisis and rebuild a more equal world.*

773 EmPower and United Nations Environment Programme (UNEP). 2020. *The Impact of COVID-19 on Rural Women and Enterprises: A Rapid Socio-Economic Assessment in Viet Nam by the EmPower Project.* Hanoi: UNEP and UN Women.

### Women working in the hardest-hit sectors.

One of the stark data points on COVID-19 has been the fall in labour force participation rates for both women and men, as discussed above. An estimated 1.3 million Vietnamese workers lost their jobs due to the pandemic in 2020, with 32 million workers suffering from the impact on both income and hours.<sup>774</sup> Women were concentrated in the workforce of some of the most affected sectors, namely the retail trade (64 per cent), hospitality and tourism (66 per cent), and the export-oriented garment manufacturing sectors (77 per cent). These sectors experienced a wide-spread reduction in economic activity, according to the ILO<sup>775</sup>, including through disrupted supply chains from China and access to overseas markets. Labour force participation is at its lowest rate in a decade. Significantly, the percentage of women reporting they are self- or family-employed has increased and is more than double that of men (19.6 per cent compared to 8.6 per cent for men). Moreover, this is a category of workers without social insurance. In the month between 23 Feb and 5 April 2020, retail and recreation were down by 67 per cent. By April 2020, Viet Nam's Textile Association reported that 80 per cent of garment manufacturers had reduced its shifts for workers – a predominantly female workforce.<sup>776</sup> While ecotourism had been creating 'on-ramps' for women in rural areas, especially ethnic minority women, to earn an income, COVID-19's decimation of international tourism, and interruption of domestic tourism will see these gains reversed.<sup>777</sup> Domestic workers were also

774 GSO and ILO cited in <https://tuoitrenews.vn/news/business/20210107/13mn-people-in-vietnam-lost-jobs-to-covid19-in-2020/58668.html>

775 ILO Vietnam. (April 2020). COVID-19 and the labour market in Viet Nam.

776 Vietnam's textile and garment industry hit hard by COVID-19. (19 May 2020). East Asia Forum. <https://www.eastasiaforum.org/2020/05/19/vietnams-textile-and-garment-industry-hit-hard-by-covid-19/>

777 World Bank. April 2020. COVID-19 Policy Response Notes #4. How to jump start Vietnam's economy?

reported to suffer widespread job loss through the social distancing period and with the departure of international families, especially since only a minority have labour contracts.<sup>778</sup> The impact on the largely invisible informal workforce, including street vendors, entertainment industry and sex workers, has not yet been assessed but the adverse impacts of the social distancing measures and tourism downturn can be assumed.

The lasting effects of this period in terms of reduced or discouraged labour market participation, and the concomitant increases in daily unpaid care and domestic work are yet to be understood. However, they will conceivably be significant. During the period of macro-economic instability in Viet Nam caused by the Global Financial Crisis (GFC) in 2008, the World Bank found that women had higher rates of unemployment in the GFC aftermath, and this period saw a flatlining of the gender wage gap that had previously been narrowing.<sup>779</sup> This highlights the fact that economic recovery from COVID 19 is likely to proceed unevenly for both men and women.

**Reduced healthcare seeking.** Of considerable concern was the decline in healthcare seeking, especially for maternal and sexual and reproductive health care by women. UNICEF noted that over March - April 2020, pregnant women accessing antenatal care had dropped by 20 per cent. As the primary child carers, there was a corresponding drop in children under 5 presenting at health centres (by 48 per cent) and for vaccination (by 75 per cent). Modelling suggested that COVID-19 would contribute an additional 298 maternal deaths ('best-case'

778 Oxfam International Viet Nam. Leaving no one behind. <https://vietnam.oxfam.org/latest/stories/leaving-no-one-behind>. Accessed July 8, 2020. Cited in United Nations Children's Fund (UNICEF). August 2020. *Rapid Assessment on the Social and Economic Impacts of COVID-19 on Children and their Families*. Hanoi: UNICEF.

779 World Bank. 2011. *Vietnam Country Gender Assessment*. Hanoi: World Bank.

scenario) to the 677 maternal deaths projected nationally for Viet Nam. The worst-case scenario was 443 extra maternal deaths. Either scenario would increase the maternal mortality rate from 46 per 100,000 live births to 62 or 69 per 100,000 live births, respectively, and reverse the improved survival rates over the past decade.<sup>780</sup>

**Need for more gender-targeted stimulus and relief.** Viet Nam's National Committee for COVID-19 Control is to be lauded for its management of the pandemic. However, to date, women have not had high levels of representation on this decision-making body, a notable absence requiring rectification given the need for more gender-specific measures as the pandemic continues. Upon its formation, women accounted for 4 out of 22 members (18 per cent), with the most senior positions held by men.<sup>781</sup> As of 1 June 2021, women account for 7 per cent of members.<sup>782</sup> Positively, the Government, with the support of UNICEF and UN Women developed guidelines for the safety of women and children in quarantine centres. Covering many tens of thousands of residents over the pandemic, the guidelines cover gender-sensitive security measures and regulations, provision for counselling, and hygiene standards.<sup>783</sup> However, there is scope for more tailored

measures including to address women's assistance for response to gender-based violence, and to support guaranteed access to essential maternal and SRH care. In terms of government financial assistance, in April 2020, Viet Nam announced an emergency economic support package of 226 trillion VND (3 per cent of GDP). Measures focused on tax breaks and land rental waivers for impacted businesses. However, it was suggested these would mostly benefit men due to their higher incomes and greater land ownership and control.<sup>784</sup> A separate social assistance package was also issued the same month, valued at 62 trillion VND. The package did offer some indirect support to cover the impacts upon women, including support for business households with revenue under 100 million VND per year, zero-interest loans for businesses and workers with financial difficulties. Interestingly, a study undertaken by the IFC in neighbouring Myanmar<sup>785</sup> found lower levels of uptake of COVID-related government assistance by women, as compared with men, despite equal awareness of the available support. This would be a data point to track for Viet Nam.

Lastly, an assessment (2021) of the impact of the national COVID-19 response in Viet Nam – specifically, policies and emergency social assistance - upon ethnic minority women identified several critical shortcomings. These included: that policies did not consider gender and ethnicity differentials in information access, livelihoods and need, and so responses were not tailored to reach and benefit ethnic minority women; assistance did not offer bridging infrastructure and support for ethnic minority children to connect to digital learning platforms, and the continuation of essential maternal and child health services

780 United Nations Children's Fund (UNICEF). August 2020. *Rapid Assessment on the Social and Economic Impacts of COVID-19 on Children and their Families*. Hanoi: UNICEF.

781 Source: Quyết định số 170/QĐ-TTg: Về việc thành lập ban chỉ đạo phòng chống covid; <https://moh.gov.vn/documents/176127/0/170+Q%4%90-TTg30-01-2020.pdf/0a28cc84-4ca6-4610-9dc0-73b982718612> Cited in CARE International. (May 2020). *Rapid Gender Analysis for COVID-19 in Viet Nam*; United Nations (UN). August 2020. *UN Assessment on Economic Impacts of COVID-19 and Strategic Policy Recommendations for Viet Nam*. Hanoi: UN.

782 See the taskforce data at <https://data.unwomen.org/resources/covid-19-and-gender-monitor>

783 UNDP-UN Women COVID-19 Global Gender Response Tracker. <https://data.unwomen.org/resources/women-have-been-hit-hard-pandemic-how-government-response-measuring> Accessed 1 June 2021. <https://unwomen.org.au/new-pioneering-effort-to-protect-women-and-children-in-quarantine-centres-during-covid-19/>

784 CARE International. (May 2020). *Rapid Gender Analysis for COVID-19 in Vietnam*.

785 World Bank. 2020. *Women Endure COVID-19 Unequally to Men. Myanmar COVID-19 Monitoring*. Washington, DC: World Bank.

was not specifically prioritised, despite the higher mortality and morbidity rates in many ethnic minority communities; and delays in financial assistance reaching beneficiaries in remote mountainous areas, despite these communities having less savings and a social safety net.<sup>786</sup> Some of the above shortcomings are understandable, and can be attributed to the rapid and unprecedented nature of the response required by COVID-19. However, the prolonged presence and effects of COVID-19 means that there is time and scope to customise these measures.

**Recommendations.**

- Increase the representation of women on national, provincial and sectoral decision-making bodies relating to the COVID-19 emergency response and recovery planning. This includes representation and/or consultation with women from public administration, including health, education, labour, and social protection and assistance; women from the business community, and organisations that can represent the impacts of COVID-19 upon particular population groups including women in the labour force (formal and informal) and women migrant workers, women experiencing violence, women with disabilities, the LGBTQI community, women from ethnic minority groups and women from rural areas.
- Formulate social assistance, social protection, relief and recovery packages based on the analysis of the gender-differentiated impacts of COVID-19, including the targeting of resources to respond to the increased

reports of domestic violence.

- Promote and replicate gender-responsive good practice, including the UN-authored guidelines for the safety and well-being of women and children in quarantine, and the use of pharmacies and supermarkets for disseminating information and essential hygiene supplies to women during social distancing periods.
- Record and publish sex-disaggregated data on COVID-19 cases and deaths, as well as job and business losses.

## 10.2 ENVIRONMENT, CLIMATE CHANGE AND DISASTERS



**The global crisis for human and natural systems.** With the sudden onset of COVID-19, the decades’ long concern about the catastrophic impacts wrought by climate change has receded from global headlines. Viet Nam has a unique topography of a 3260km coastline facing warming Pacific waters, densely populated northern and southern deltas, and the location of its ‘rice bowl’ region is at the lower segment of a transnational river system. The country is therefore already contending with environmental system changes, and the accompanying hazards and disasters. Over the period 2009-2019, Viet Nam was ranked 13<sup>th</sup> of 180 countries on the Global Climate Risk Index<sup>787</sup> as measured by fatalities per 100,000

<sup>786</sup> Committee for Ethnic Minority Affairs (CEMA), UN Women and Irish Aid. (2021). Policy Discussion: The impact of the COVID-19 pandemic on ethnic minorities in Viet Nam, regarding their access to social security and direct cash transfer policies, from a gender equality lens

<sup>787</sup> Eckstein, D., Künzel, V. and Schäfer, L. 2021. *Global Climate Risk Index 2021: Who Suffers Most from Extreme Weather Events? Weather-Related Loss Events in 2019 and 2000-2019*. Bonn: Germanwatch.



and GDP losses sustained. The drought and saltwater intrusion experienced in the Mekong Delta area was described by the Minister of Agriculture and Rural Development as the 'most severe' in history.<sup>788</sup> This was even when compared with the prolonged drought event of 2015-16 which affected 2.3 million people at its peak.<sup>789</sup> The World Bank Climate Change Knowledge Portal predicts some increases in extreme rainfall for southern and central Viet Nam,<sup>790</sup> and the Viet Nam Panel on Climate Change has warned that in the worst case scenario, sea level rise of one metre would permanently flood 40 per cent of the Mekong Delta.<sup>791</sup> It is also argued that the impact of climate change on the ASEAN region, as a whole, is likely to be acute in Viet Nam, due to its 'high dependence on agriculture... along with recent trends towards lower crop diversity, and the erosion of social safety nets.'<sup>792</sup> Economic damage has resulted in an average annual loss of 1 to 1.5 percent of the GDP over the past three decades. For example, in 2016 Typhoon Son-Tinh caused a loss of US\$ 1.8 billion. The increase in frequency and severity of extreme events due to climate change is expected to exacerbate these impacts.<sup>793</sup> With a need for agricultural restructuring for food and livelihood security, and for population settlements to be safeguarded, impacts are neither distant nor minor for Viet Nam, including for women.

**High cost of inaction for women.** The CEDAW Committee, in its *General Comment*

788 <https://reliefweb.int/report/viet-nam/year-historical-drought>

789 United Nations. 2017. *Policy Brief: Gender Equality in Climate Change Adaptation and Disaster Resilience in Viet Nam*. Hanoi: UN.

790 <https://climateknowledgeportal.worldbank.org/country/vietnam/climate-data-projections>

791 <https://www.mekongdeltaplan.com/news/archive-2017/14/2018-10-11/un-climate-change-report-launched-in-vietnam>

792 The Asia Foundation. February 2020. *The Future of Work Across ASEAN. Policy Prerequisites for the Fourth Industrial Revolution: Regional Summary and Recommendations*.

793 Asian Disaster Preparedness Center (ADPC). 2020. *Disaster Risk Reduction in Viet Nam: Status Report 2020*. Bangkok: ADPC.

*No. 37 on Gender-related dimensions of disaster risk reduction in the context of climate change (2018)*, highlighted that such crises exacerbate pre-existing gender inequalities and increase intersectional forms of discrimination. Where women experience constraints in access and decision making over resources such as employment, income, credit, land, energy, technology, information and social safety nets, they will be more exposed to disaster-induced risks and losses. With increased stress on households, as evidenced by COVID-19, disasters also increase the perpetration of gender-based violence. Food and income insecurity, if not countered by social protection schemes, can also result in women and girls being exposed to sexual exploitation, trafficking, and early marriage for the sake of household survival.<sup>794</sup>

Women's time poverty, especially in rural areas in Viet Nam where gender gaps in unpaid care and domestic toil are wider and hours worked are longer due to labour intensive water and fuel collection, will mitigate against women's availability for knowledge and skills acquisition for climate change adaptation and disaster preparedness. This does not need to be immutable. Time poverty has been highlighted as preventing women from listening to radio broadcasts and attending community meetings, thereby missing relevant advice.<sup>795</sup> An estimated 65 per cent of households in Viet Nam do not have a clean water source on the premises,<sup>796</sup> and water collection is largely relegated to women. Therefore, improvements in rural water supply and greater shared labour in the home can help women be available for extension support and advice. Climate resilient agriculture will require new cultivation

794 UN CEDAW Committee. 7 February 2018. op.cit *General Comment No. 37*.

795 Food and Agriculture Organization of the United Nations (FAO). 2019. *Country Gender Assessment of Agriculture and the Rural Sector in Viet Nam*. Hanoi: FAO.

796 United Nations Empower. 2021. *The State of Gender Equality and Climate Change in Viet Nam*.

techniques and technologies and, foreseeably, for a proportion of the rural population to seek alternative livelihoods. Under the *NSGE 2011-20*, Viet Nam was not able to meet its target that 50 per cent of rural women under the age of 45 years will have completed professional and technical training by 2020. The *Labour Force Survey (2019)* estimated that only 17.4 per cent of this group of rural women completed relevant training.<sup>797</sup> This would still equate to a large number of women having been trained, however the gap in women's readiness for rural restructuring is stark.

With women estimated to account for up to 63.4 per cent of the agricultural labour force<sup>798</sup> and 80 per cent of aquaculture workers, they are the key to climate-resilient agriculture and food security across Viet Nam. Women are also vital providers of income and nutrition for the over 10 million farmer households. Without support, the degradation of forestry resources and biodiversity will impact ethnic minority women acutely, since they are the most reliant on these sources for subsistence.<sup>799</sup>

**Changing the narrative.** In the climate change and disaster risk management policies, women (alongside older citizens, ethnic minority groups, internal migrants and people with disabilities) are almost exclusively characterised as 'vulnerable', as if it is a permanent, passive state. A lack of targeted interventions to build women's knowledge and adaptive capacity will render this statement true eventually. However, it overlooks the immediate evidence concerning women's role throughout the disaster cycle - disaster preparedness of the household and its members, and in post-disaster

recovery – albeit through gender-ascribed roles. Furthermore, climate change and disaster-related programs will generate new job, skills acquisition and livelihood options in the future across agricultural production, clean energies and sustainable urban development. So, with support and opportunities, both men and women could transition into these areas. Studies have also highlighted that women's triple role, especially their expected community contribution, is an asset in times of disaster preparedness and recovery.<sup>800</sup> The social capital that women have accumulated through community ties can be a source of buffer and support, encompassing emergency, low interest loans through savings groups, relational support and livelihood-associated information.<sup>801</sup>

**Data is partial, and more is needed.** While Viet Nam's disaster-related fatality rates are low per population, sex-disaggregation of data is only partially available. Based on data from the Central Steering Committee on Disaster Prevention and Control, of the 911 people who died because of disasters over the period 2012-14, a reported 11.9 per cent were female and 43.5 per cent were male. Almost half of those who perished (44.5 per cent) were reported as general numbers, with their sex and age unknown. In 2016, of the 264 lives lost, 41 were children (15.5 per cent), 52 were women (19 per cent) and the remaining 166 were not attributed.<sup>802</sup> There is currently no data on disaster-related morbidity or household level losses, e.g. job, land or income. Every death matters, especially preventable loss. However, a complete sex-disaggregation of mortality, morbidity and material losses would allow insight into which groups are

797 Government of Viet Nam. 2020. *Review Report on Implementation of the National Gender Equality Strategy (NSGE) Period 2011-2020*. op. cit.

798 Food and Agriculture Organization of the United Nations (FAO). 2019. op.cit

799 United Nations Empower. 2021. *The State of Gender Equality and Climate Change in Viet Nam*.

800 Nguyen, S. 2017. "Gender Equality in Climate Change Policies the case of Viet Nam." *International Journal for Innovation Education and Research* 5 (4), pp1-10.

801 Phan, TL. 27 February 2019. "Gender Inequality and Adaptive Capacity: The Role of Social Capital on the Impacts of Climate Change in Vietnam." *Sustainability* 11, pp.1-20.

802 United Nations. 2017. op.cit



most affected by disasters and need to be better reached. It would also allow an analysis of whether gender norms are a factor in risk levels in Viet Nam, as has been established for other disasters such as the Asian tsunami event in 2004.<sup>803</sup>

**Adequate policies, but a need for action plans.** In recent years, there has been an increased integration of gender equality as a cross-cutting consideration in climate change and disaster-related policies. Viet Nam was host to the Asia-Pacific Regional Conference that produced the Hanoi Recommendations for Action on Gender and Disaster Risk Reduction and the country’s 3<sup>rd</sup> National Communication Report under the United Nations Framework Convention on Climate Change (UNFCCC) included a section on gender related impacts. Notably, climate change is mentioned in the context analysis of the NSGE 2011-20 and 2021-30, but not more specifically. There is therefore a collective call to shift the focus to action planning to practically ensure women’s engagement so that they can benefit from the preparedness and adaption advice and from the opportunities arising from transitions in the agriculture, energy and rural development sectors. The climate change adaptation and disaster risk reduction (CCA/DRR) fields being male-dominated in Viet Nam, as elsewhere.<sup>804</sup> So the imperative for policy integration to be followed by women’s greater involvement in decision making and consultation will only increase as conditions intensify.

**Recommendations.**

- Increase women’s participation in the workforce and decision-making bodies on climate change, disaster risk reduction and emergency relief efforts.
- Reframe the perception and engagement of women in responding to natural disaster events and climate change impacts, by refocusing on their contribution in times of disaster and their frontline presence in the future of adaptive agriculture and Viet Nam’s food security.
- Undertake rapid assessments or research in Viet Nam on the gender impacts of climate change and disaster events.
- Monitor and record sex-disaggregated data on morbidity and mortality related to disaster events.

## 10.3 INDUSTRIALISATION AND TECHNOLOGY



The Fourth Industrial Revolution or Industry 4.0 has currency as a term in Viet Nam, reflecting the importance of its continued industrialisation as a basis for ongoing competitiveness and prosperity. This particular form is premised on ‘technologies that mimic and transform’ human cognitive and biological capacities. So, they will disrupt and directly replace some workers, and generate jobs that demand different and intrinsic human skill sets. One prediction is that women’s long-standing challenges in the labour market, such as the diversion of time to unpaid work, will be compounded by new ones.<sup>805</sup>

803 Doocy, S. et al. 2007. “Tsunami mortality in Aceh Province, Indonesia.” *Bulletin of the World Health Organization* 85 (2), pp 273-8; Pareeda, PK. 2015. “The social construction of gendered vulnerability to tsunami disaster: the case of coastal Sri Lanka.” *Journal of Social and Economic Development* 17, pp 200–222.

804 United Nations. 2017. op.cit.

805 The Asia Foundation. February 2020. op.cit



**Mega-trends arising.** In its study on Vietnamese women's positioning for jobs of the future, the World Bank has identified five 'mega-trends' that will shape the labour market landscape in Viet Nam.<sup>806</sup> Analysis on how these trends could affect women's economic opportunities is provided.

Rise of the consumer class in Asia. An increase in wealth levels and a growing middle class in Asia will continue to increase the demand for higher value goods and services. With women's concentration in light manufacturing and services, this could be an advantage for women in future job expansion in these industries. However, investment in training by employers will be needed, as well as through the education system, to ensure the upgrading of women's skills to a level that meets quality standards and demand.

Trade patterns. With Viet Nam's transition from labour-intensive to skill- and capital-intensive industries, Viet Nam's future competitiveness will rely upon more sophisticated manufacturing and goods. As above, with the requisite investment in technical and vocational training for both men and women, economic opportunities could be evenly shared. However, if Viet Nam takes a path of producing heavy machinery or similar, it is probable that gender stereotyping and sectoral streaming will mean men are favoured for these jobs, as is the case at present. At least initially, until pathbreaking women are able to reset the stereotype over time.

Burgeoning knowledge economy. Occupations related to the knowledge economy will continue to grow in number, in fields such as design, research and development (R&D), marketing and after-sales management. With women's higher education attainment exceeding that of men, at least

at bachelor level, this should serve women well. However, women's comparatively lower access to on-the-job training mean women may be overlooked. Until women reach parity in the share of Masters and Doctoral level degrees in Viet Nam, factors such as affinity bias will disadvantage women in research and development networking and grants.

Automation. The bundle of new technologies including AI, nanotechnology and biotechnology, robotics and more sophisticated ICT will alter the nature and number of jobs available. While automation itself could open up opportunities for women, there has been a recognised trend in agriculture that when manual tasks performed by women are mechanised, they are then assumed by men. Given the cut-make-trim orientation of much of Viet Nam's current garment manufacturing, these jobs are highly amenable to automation. Investing in more sophisticated textile and apparel manufacturing could retain jobs for women, but this will require further training.

Ageing Viet Nam. Shifting demographics and the ageing population in Viet Nam and the region will generate jobs in the fast-growing care economy. Gender stereotypes and biases will conceivably generate jobs for women in aged care. The challenge for Viet Nam, as is the case globally, is the quality, conditions and wages for these jobs. The association of care work with women's traditionally unpaid care work in the home has also seen low wages and training investment in this sector and the undervaluing of the skills involved.

Artificial Intelligence (AI), which draws predictions and recommendations from large datasets using algorithms, will increase its influence upon women and girls' lives in future. While this is a new frontier in gender analysis globally, and not yet the

<sup>806</sup> World Bank. 2018. *Vietnam's Future Jobs – The Gender Dimension*. Washington DC: World Bank.

subject of research in Viet Nam, it will have a bearing on the gender-based digital divide, access to information, jobs, markets and services and contribute to product development and communications. AI possesses the unique potential to reinforce or reframe gender divides and stereotypes. Algorithms can be harnessed to promote social good, including positive information, services and opportunities for both men and women. However, there is a risk and an emerging analysis that the 'default setting' for AI reproduces the priorities, values and prejudices of those who have the power to shape the technology, namely men. As a pioneering discussion paper (2020) by UNESCO notes, 'global engineering education today is largely focused on scientific and technological courses that are not intrinsically related to the analysis of human values nor are overtly designed to positively increase human and environmental wellbeing'. It therefore proposes a number of actions for shaping AI to be a force for gender equality, including: demystifying the technology through public education in AI construction and bias, including the assumptions and bias inherent in large datasets and the developers themselves. Therefore, redressing the vertical and horizontal segregation of girls and women in STEM education and occupations, and improving AI literacy in general, while establishing a code of AI ethics, ultimately leading to better regulation and avoidance of discrimination and harm.<sup>807</sup>

Recent analysis by The Asia Foundation (TAF) and McKinsey Company offer predictions for Viet Nam and Asia-regional examples on the fundamental changes expected in the world of work. As regards automation, TAF cites a study that an estimated 56 per cent of current jobs in manufacturing in Viet Nam will be

807 UNESCO. 2020. *Artificial Intelligence and Gender Equality. Key findings of UNESCO's Global Dialogue*. Paris: UNESCO.

replaced by AI, with both men and women impacted.<sup>808</sup> The McKinsey analysis suggests that in Japan, up to 20 per cent of women in the labour force will need to find new jobs due to substitution by intelligent technology, and 10 per cent of jobs held by women in India.<sup>809</sup> As the ILO points out, those workers with the lowest skill and training level are at the highest risk of replacement, thus women workers are in greater jeopardy.<sup>810</sup>

New digital technologies can be advantageous for women in business, offering the flexibility to manage competing priorities (including ascribed domestic tasks) and the option of expanding their client base without the need for extended travel. E-commerce and marketing offer great potential as an asset for women in business,<sup>811</sup> but are premised on information and technology gaps being closed and for legal frameworks for ICT and pre-requisites for e-commerce to not be prohibitive for women of all backgrounds working from home, with less capital and collateral and lower rates of digital literacy.

The same technology that can emulate human cognitive functioning will generate jobs, but women's share of STEM training and job pathways needs to be dramatically increased from current levels. Boosting women's study of STEM fields enables women to be more competitive both jobs and leadership roles in the future. Even within sectors such as healthcare, clerical jobs will be replaced by patient registration online and many basic diagnostic and testing functions will be digitalised.<sup>812</sup> Viet Nam has also begun the process of 'regional accreditation recognition' in the development of its qualification

808 The Asia Foundation. February 2020. op.cit

809 McKinsey and Company. August 2019. op.cit

810 ILO. 2018. *Game Changers: Women and the Future of Work in Asia and the Pacific*. Bangkok: ILO.

811 The Asia Foundation. February 2020. op.cit

812 McKinsey and Company. August 2019. op.cit.



Photo: UN Women/Do Trong Danh

frameworks,<sup>813</sup> and so transnationally-recognised qualifications will become a new frontier of gender parity monitoring.

### **Recommendations.**

Urgently prioritise universal access to digital literacy and job pathways through the school curriculum and vocational and technical training.

- Mount national campaigns and programs to remove gender stereotypes that lead to occupational streaming, and boost women's enrolment in STEM and pathways in the knowledge economy.
- Assess and plan for the supported transition of women workers (current and prospective workers from the same regions or demographics) whose jobs will be impacted by automation.
- Develop regulations and ethical standards on coding and programming to review gender bias in algorithms and negative gender stereotypes.
- Promote women's study pathways in the IT and AI sectors, to increase job opportunities in the future economy and to enable women to shape the norms and advancements in these sectors.
- Support promotion of digital platforms and skills among women in business to close the gaps that businesswomen face in the time available and the access to online information, skills training, and markets.

813 The Asia Foundation. February 2020. op.cit.

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# COUNTRY GENDER EQUALITY PROFILE

## VIET NAM 2021



**Department of Foreign Affairs and Trade (DFAT),  
Australian Embassy, Hanoi**

**Address:** 8 Dao Tan, Ba Dinh, Ha Noi, Viet Nam

**Tel:** +84 24 3774 0100

**Website:** <https://vietnam.embassy.gov.au/hnoi/home.html>



**Viet Nam Resident Mission (VRM)  
- Asian Development Bank (ADB)**

**Address:** 3rd Floor, Cornerstone Building,  
16 Phan Chu Trinh Street, Hoan Kiem District, Ha Noi, Viet Nam

**Tel:** +8424 39331374

**Website:** <https://www.adb.org/countries/viet-nam/main>



**International  
Labour  
Organization**

**ILO Country Office for Viet Nam**

**Address:** 304 Kim Ma Street, Hanoi, Viet Nam

**Tel:** +84 24 38 500 100

**Website:** <http://www.ilo.org/hanoi>



**United Nations Agency for Gender Equality  
and Empowering Women (UN Women)**

**Address:** 304 Kim Ma, Hanoi, Vietnam

**Phone:** (+84) 24 385 00362

**Website:** <http://vietnam.unwomen.org>